Vol. IX. No. 3.

The Forum.

EDITED BY LORETTUS S. METCALF.

MAY, 1890.

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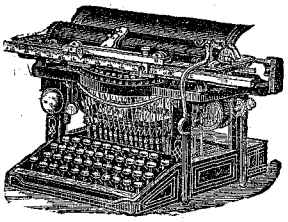

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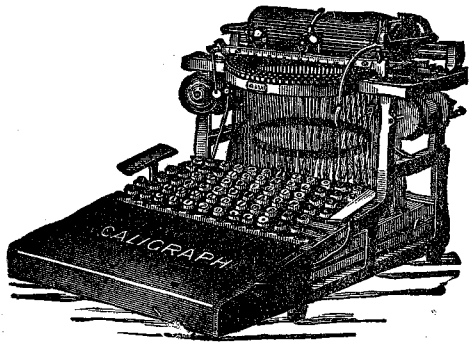

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WRITERS AND SUBJECTS.

Brief Notices of Contributors to the Forum for May and Lists of Parallel Articles.

REPUBLICAN PROMISE AND PERFORMANCE.

John G. Carlisle.

Ex-Speaker Carlisle was born in Kentucy in 1835. Having previously practiced law, he entered political life in 1871, when he was elected Lieutenant-Governor of his State. He was first elected a member of Congress in 1877. In December, 1883, he was elected Speaker of the House of Representatives, holding that office by successive re-elections till the present Congress. In Congress he has given special attention to the tariff and is now the "leader" of the Democratic minority. In *The Forum* for August, 1889, Mr. Carlisle discussed "The Republican Program;" for October, 1887, "The Continuance of Democratic Rule;" and for January, 1890, "The Tariff and the Farmer."

Recent discussions in *The Forum* of kindred subjects are: "Republican Party Prospects" (July, 1889), by Senator J. S. Morrill, and "A Year of Republican Control" (March, 1890), by Senator H. L. Dawes.

CANADA THROUGH ENGLISH EYES.

Prof. Goldwin Smith.

Professor Smith was born at Reading, Berkshire, England, in 1823, and was educated at Eton and Oxford. He is an Honorary Fellow of University College and of Oriel College, was formerly Professor of Modern History in the University of Oxford, and is an Honorary D.C.L. of the same. He is also Lecturer in English History at Cornell. His chief published works, besides a great number of review articles, lectures, and addresses, are as follows: "The Study of History," Lectures delivered at Oxford; "Irish History and Irish Character;" "The Empire," a series of Letters published in the London *Daily News*; "Three English Statesmen" (Pym, Cromwell and Pitt); "William Cowper," a Memoir in the English Men of Letters series; "Jane Austen," a Memoir in the Great Writers series; a collection of "Lectures and Essays;" "A Trip to England;" and "Bay Leaves," a volume of Translations from the Latin Poets.

Prof. Smith has contributed to *The Forum* the following papers: "Canada and the United States" (Nov., 1888); "The Spoils of Office" (Sept., 1889); and "Woman's Place in the State" (Jan., 1890).

The question of the annexation of Canada to the United States has been treated in *The Forum* by David A. Poe (July, 1887), Senator J. S. Morrill (Jan., 1889), the Marquis of Lorne (Feb., 1889), and by Prof. J. G. Schurman (March, 1889). In September, 1887, the Secretary of the Interior of Canada discussed the question: "Is Canada Misgoverned?" and in August, 1889, Judge James M. Love had an article on "Canada's Form of Government."

THE SUFFICIENCY OF THE NEW AMENDMENTS.

Roger A. Pryor.

Gen. Roger A. Pryor was born in Dinwiddie County, Virginia, in 1828. In 1845 he was graduated at Hampden Sidney College, and in 1848 at the University of Virginia. For several years he was a journalist, editing the Richmond *Enquirer* and the Washington *Union*. Under the Pierce Administration he was Minister to Greece, and later he was twice elected to Congress. He served in the Confederate army as a Colonel and as a Brigadier-General, and was also twice elected to the Confederate Congress. After the war he was admitted to the bar of New York, where he still practices law.

The Forum for March, 1890, contains an article by Judge A. W. Tourgée, on "The Right to Vote," to which Gen. Pryor's essay is an answer.

LITERARY CRITICISM.

Archdeacon F. W. Farrar.

The Ven. Frederic William Farrar, Archdeacon of Westminster, was born in Bombay, India, in 1831, and was educated at the University of London and at Trinity College, Cambridge. He won reputation first as a poet and writer of fiction, then as a philologist, before he became a theological writer. His "Life of Christ" (1874) is said to be the most popular English theological book of this century. He is the author also of "The Life and Works of St. Paul" and of "The Early Days of Christianity." He has written much also for magazines, encyclopedias, and commentaries. In theology he occupies a position between the Broad Church and the Evangelical party. He has lectured and preached extensively in the United States. Archdeacon Farrar wrote for *The Forum* for October, 1888, an essay on "Tolstoï;" for December, 1888, another on "Tolstoï's Religious Views;" for November, 1889, one on "Modern Claims upon the Pulpit;" and in the number for March, 1890, he wrote on "The Specter of the Monk."

Andrew Lang had an article on "Reviewers and their Ways," in *The Forum* for March, 1889; and Edmund Gosse on "Making a Name in Literature," in October, 1889.

THE COINAGE OF SILVER.

Frederick A. Sawyer.

Frederick A. Sawyer was born in Boston in 1822, and was educated at Harvard (Class of '44). After teaching for several years in New England, he took charge of the Normal School in Charleston, S. C. Having left the South during the war, he returned to Charleston in 1865. He took an active part in the reconstruction of the State, and was elected to the United States Senate. When his term ended in 1873, he became Assistant Secretary of the Treasury. Afterward he was engaged on the Coast Survey, and then served till 1887 as a special agent of the War Department.

The Forum contained in May, 1886, an article under the title, "Do We Need a Metallic Currency?" by John F. Hume; and in November, 1886, Richard P. Bland wrote on "The Restoration of Silver."

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BIBLE INSTRUCTION IN COLLEGES.

Rev. Benjamin W. Bacon.

The Rev. BENJAMIN W. BACON is pastor of a Congregational Church at Oswego, N. Y. He was born at Litchfield, Conn., in 1860, and is the son of the Rev. Leonard Woolsey Bacon, who has written several times for *The Forum*. He was graduated at Yale in 1881, and at the divinity school of the same institution in 1883. His first pastoral charge was in Lyme, Conn. Some of his critical and exegetical investigations of biblical questions have attracted the attention of the foremost critics of Europe.

JURY VERDICTS BY MAJORITY VOTE.

Sigmund Zeisler.

Mr. ZEISLER is a lawyer in Chicago. He was born in Austrian Silesia in 1860. In 1883, after four years of study in law and political sciences at the University of Vienna, he took his degree in law with the highest honors. Coming to America the same year, he took a course in law at the Union College of Law in Chicago, receiving in 1884 the degree of Bachelor of Laws, and winning the prize for the best legal essay by a member of the graduating class. For a year he was professor of civil law at the Union College of Law. As counsel for the defense in the celebrated anarchist cases, he gained the good opinion of the bench and bar and drew wide attention to his legal ability.

THE NAVAL BATTLE OF THE FUTURE.

Lieut. Bradley A. Fiske.

Lieut. FISKE was born at Lyons, N. Y., in 1854, and at the age of twenty was graduated at the United States Naval Academy. In 1884 he was a member of the International Electrical Conference at Philadelphia. He has given special study to electricity in its application to naval problems, and has made several valuable inventions in this field. His system for training guns by electricity, his electric ammunition hoist, and his electric range-finder, have all been adopted by the Navy Department. A modification of the last-named invention is his "position-finder and gun-director," for forts and permanent works. Lieut. Fiske is the author of "*Electricity and Electrical Engineering.*"

Other discussions of the various phases of modern warfare have appeared in *The Forum* as follows: "Recent Naval Progress" (Nov., 1886), by Woods Pasha; "Submarine Navigation" (Jan., 1887), by Lieut. E. L. Zalinski; "The New System of Naval Warfare" (Dec., 1888), by Park Benjamin; "Requirements for National Defense" (Nov., 1889), by Adj.-General J. C. Kelton; "War under New Conditions" (March, 1890), by Gen. H. L. Abbot.

WOMAN'S INTUITION.

Grant Allen.

GRANT ALLEN was born at Kingston, Canada, in 1848. He studied at Oxford, England, and in 1873 was appointed professor of Logic and Metaphysics in Queen's College, at Spanish Town, Jamaica. From 1874 to 1877 he held the principalship of this institution. Returning to England in 1877, he has become known as a graceful and charming writer on popular scientific subjects. Besides four novels, he has written "Physiological Æsthetics," "The Color Sense," "The Evolutionist at Large," "Vignettes from Nature," "Colors of Flowers," "Biographies of Workingmen," a "Life of Charles Darwin," and a large number of magazine articles. He has contributed to *The Forum* "What is the Object of Life?" (July, 1887), and "Woman's Place in Nature" (May, 1889).

Recent articles akin to this one are "Are Good Women Characterless" (Feb., 1888), by Eliza Lynn Linton; "Our Better Halves" (Nov., 1888), by Prof. Lester F. Ward; "Advanced Education for Women" (March, 1889), by Kate Stephens; "Types of American Women" (Nov., 1889), by Prof. H. H. Boyesen; "Woman's Place in the State" (Jan., 1890), by Prof. Goldwin Smith; "Woman's Political Status" (April, 1890), by Francis Minor.

GOVERNMENT BY RUM-SELLERS.

Rev. Dr. Howard Crosby.

Rev. HOWARD CROSBY, pastor of the Fourth Avenue Presbyterian Church in New York, is well known, not only as a scholar and preacher, but also by reason of his interest in public affairs, especially in temperance legislation. Dr. Crosby advocates temperance as distinguished from total abstinence. He took a prominent part in founding the Society for the Prevention of Crime, of which he has been president since it was organized. Much attention has been given by him to Indian affairs, and also to the question of international copyright. Besides several works on practical religion, he has written a number of commentaries and other aids for biblical study. Dr. Crosby was born in 1826, and was educated at the University of the City of New York (class of '44). He was for some years professor of Greek in the same institution, and also in Rutgers College, New Jersey. In 1863 he took charge of the Fourth Avenue Church. He was Chancellor of New York University from 1870 to 1881. Dr. Crosby has written for *The Forum* "A Letter to the People of New York" (Dec., 1886), "A Forgotten Cause of Poverty" (Aug. 1887), and "The Haste to be Rich" (June, 1888).

"Obstacles to Good City Government" (May, 1888), by Seth Low, and "The Saloon as a Political Power" (May, 1889), by Ernest H. Crosby, may be read in connection with the present discussion.

WHEN THE FARMER WILL BE PROSPEROUS.

C. Wood Davis.

C. WOOD DAVIS is a farmer in Kansas. He was born at New Bedford, Mass., in 1832, and spent some years at sea, visiting all parts of the world. For many years he was auditor of transportation accounts for the Michigan Central Railroad; and later, he was connected with the Union Pacific Railway. His health failing, he retired and now lives on a large farm in southern Kansas. For many years he has been a frequent contributor to the best class of daily papers. Mr. Davis had an article in the April number of *The Forum* on "Why the Farmer is not Prosperous."

The following articles in *The Forum*, besides the one just named, are on subjects of special interest to farmers: "Protection and the Farmer" (Oct., 1889), by Senator S. M. Cullom; "The Farmers' Defensive Movement" (Dec., 1888), by William A. Peffer; "The Tariff and the Farmer" (Jan., 1890), by ex-Speaker J. G. Carlisle; "Horace Greeley's "Cure for Poverty" (Jan., 1890), by Prof. Rodney Welch; "Western Mortgages" (March, 1890), by Prof. James Willis Gleed.

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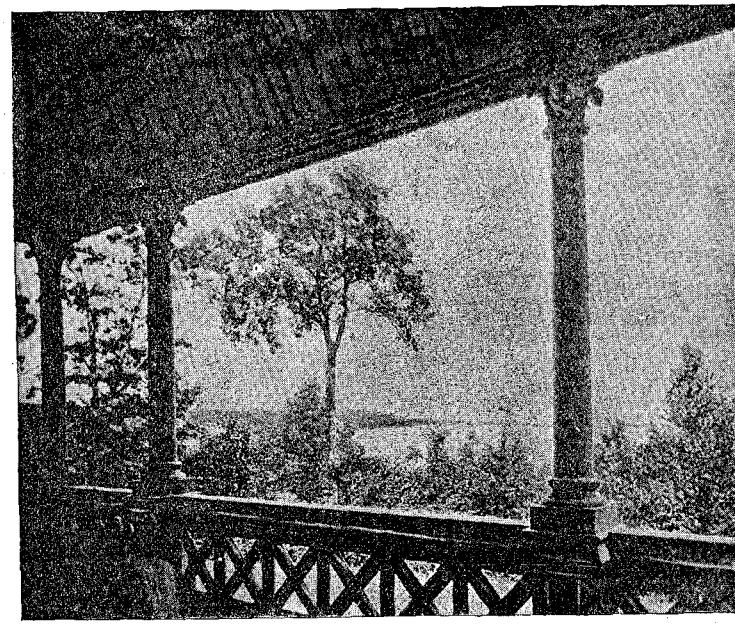

VIEW FROM THE NORTH COLONNADE

[*The observer is on the ground floor, looking down on the tree-tops which cover the declivity that descends to the shore; on shining sea or storm-tossed waves, and many a sail Across the Sound, far in the distance, Westchester heights are seen.*]

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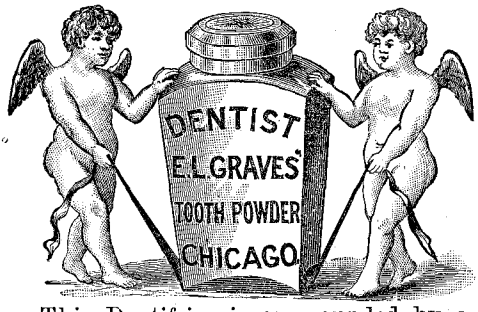

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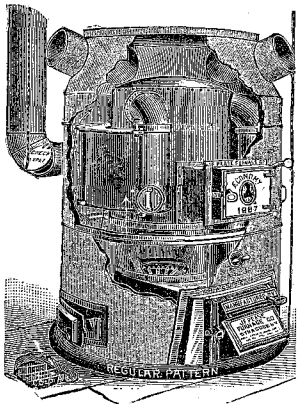

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The Forum.

MAY, 1890.

REPUBLICAN PROMISE AND PERFORMANCE.

A LARGE majority of the people voted against the Republican Party and its political creed at the last election, and it owes its present supremacy in the executive department of the government entirely to the practical operation of the State rights principle embodied in the federal Constitution. The result of that election was not an expression of the will or the judgment of the greater number of the voters in the United States, but it was an expression of the will and judgment of a majority of the intermediate electors appointed by the several States, each one acting separately and for itself alone. Not only did the Democratic candidate for president receive more votes than the Republican candidate, but the Democratic minority in the House of Representatives represents nearly 100,000 more voters than are represented by the Republican majority in that body. In view of these well-known facts, the statement made by Senator Dawes, in the March number of the FORUM, that the Republican Party had been recalled to power "by the voice of the people in November, 1888," constitutes a very flimsy foundation for the argument he makes to prove the right and duty of his party to force its extravagant and unjust financial and revenue policy upon the country.

It is true, as stated by the Senator, that the issue between

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the two parties was clearly and sharply defined in the last campaign; but it is not true that the Democratic policy went down "before the current of popular disapproval." The Republican Party was contending for the offices, and it got them. The Democratic Party was contending for a great principle which lies at the foundation of every government that recognizes the right of the citizen to the earnings of his own labor, and it received the approval of a majority of the people. Why it was that the offices were given to one party and the approval to the principles of the other, is a question that could be easily answered by a reference to the manipulation of voters by political managers in certain close and doubtful States; but as the purpose of this paper is to inquire how the Republican Party has exercised and proposes to exercise its power, rather than to expose the methods by which it was acquired, this question need not now be considered.

The statesmen of Great Britain and Canada will be astonished to learn from Senator Dawes that the present administration, "by its firmness in asserting treaty rights," has "restored security to the fishermen in the prosecution of their lawful calling" in Canadian waters. What treaty rights? The treaty of Washington, the one that defined our fishing rights in those waters, was terminated at the suggestion of a Republican administration before a Democratic president was elected, and the notice of termination was so framed that it took effect in the midst of the fishing season, thus leaving our people and their vessels at the mercy of the Dominion authorities. The *modus vivendi* agreed to by Mr. Cleveland and Mr. Bayard to remove the difficulties and embarrassments resulting from this inconsiderate action, still exists without change in any respect, and there have been no seizures of American vessels or trespasses upon the persons or property of our citizens since that arrangement was made. That administration negotiated a new treaty which would have amply secured every right or privilege we were justified in claiming, but a Republican Senate rejected it for partisan reasons. The President then asked for additional powers to enforce our demands, but the same Republican Senate refused to grant them; and there the matter still rests. Notwithstanding the lavish promises made before the election, the present administration has

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done nothing. It has not "restored security to the fishermen," because they were as secure under the *modus vivendi* when it came in as they are now.

The Senator's reference to the Behring Sea controversy is equally unfortunate. When he speaks of our "indispensable control" over that sea, he asserts, by implication at least, a claim which the merest tiro in international law knows cannot be maintained, and which the present administration completely abandoned when it released, without trial or investigation, the British vessels seized under its own orders for alleged violations of our rights. The President's proclamation was a very solemn and formidable document, and there were perhaps a few persons in remote parts of the country who thought he was in earnest; but when the crisis came he backed squarely down, and all the Senator now ventures to claim for him is that these alleged trespasses upon our jurisdiction have been "made matters of record for that day of reckoning which is sure to come." Why the day of reckoning did not come immediately after the commission of the offenses, we are not informed, and probably never shall be.

If the administration intends to insist that the part of the Pacific Ocean known as Behring Sea belongs exclusively to the United States under the treaty with Russia and the law of nations, it was its plain duty to have these British vessels and their cargoes taken into port and libeled for violation of our statutes and the President's proclamation. The question would then have been decided by our own admiralty courts, and if it were determined in our favor, the duty of the President thereafter would have been plain and simple. But he has chosen to release the vessels without bond or pledge, and therefore the question, instead of being settled, is more complicated and embarrassing than it was before.

The boasted Americanism of the present administration has been further illustrated in a most striking manner by its voluntary co-operation with the Empire of Germany and the Kingdom of Great Britain in the selection and appointment of a king to rule over the Samoan Islands. The Republican President and Senate have not only assumed the right to participate with England and Germany in establishing a monarchical government over

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those islands, but they have undertaken to bind the taxpayers of the United States to pay a part of the expenses of maintaining that government. By the terms of the so-called "general act" agreed upon at Berlin, and ratified by the Senate, the three powers mentioned have established a joint protectorate over the Samoan Islands and provided for the appointment of executive and judicial officers of their own selection, the organization of commissions and courts, the imposition of customs and internal taxes upon the people, the settlement of disputed claims to land, and the general regulation of the domestic affairs of the petty kingdom. The administration has entered into this "entangling alliance" with Great Britain and Germany without a shadow of authority, for it will scarcely be contended that the executive and the Senate have the right, in the exercise of the treaty-making power, to establish, or to aid in establishing and maintaining, governments in parts of the world beyond our jurisdiction. But the general act is not a treaty in any proper sense of the term. It is a system or plan of government agreed upon by outside powers, and imposed upon Samoa to promote their own interests in that country; but whether it will tend to promote the interests of the United States, is a question which the future must determine. It is more than probable that the preponderance of English and German influence in the administration of Samoan affairs will result ultimately in the termination of the treaty of 1878, by which we acquired the right to enter and use the port of Pago-Pago, and to establish on the shores of that island a depot for coal and other naval supplies; and it is certain that by the express terms of the general act, that part of our treaty with Samoa which exempted the cargoes of American vessels from the payment of import or export duties, is abrogated, and that hereafter such cargoes will be taxed to the same extent as goods imported from or exported to other countries.

As the law providing for the meeting of the Pan-American Congress, and the law admitting the four new States into the Union, were both passed and approved during the last Democratic administration, it is not easy to see how they can be justly set down to the credit of the present one.

Although the Senator's article purports to be a review of the

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record made by the Republican administration during the year it has been in power, he finds so little actually accomplished that he is compelled to devote a large part of his space to promises and predictions. Among other things he says:

"The Republican Party declared unequivocally for tariff reform, and for a reduction of the treasury receipts to those actual expenditures that a rigid economy alone will justify."

If the Senator really believes that this pledge will be redeemed in accordance with the obvious meaning of its terms, he has that kind of faith that removes mountains. Up to the present time there are certainly no indications that the revenue will be reduced as it ought to be, or that economy will be practiced in any department of the government. On the contrary, it is evident that if the policy so far pursued is continued, the whole revenue that can be collected under the laws as they now exist will be insufficient to meet the extraordinary demands that will be made upon the treasury. The surplus will be reduced, but taxation will be increased on many important articles. A mere enumeration of the bills now pending in Congress for the appropriation of money and for the creation of liabilities to be discharged in the future, would be sufficient to show the extravagant policy of the party in power; and it is evident that if only a small percentage of these bills should be passed, the existing surplus would be exhausted and a reduction of the revenue postponed for many years. If any considerable number of them are passed, additional taxation will be necessary, or the public debt will have to be increased.

But whatever may be done by the present Congress in regard to pensions, subsidies, bounties, and other projects now pending for the expenditure of the public money, it is safe to say that if any changes are made in the revenue laws they will increase the rates of duty wherever an increase will impose additional burdens upon consumers, and reduce the rates only in cases where reductions will not affect importations or materially diminish prices. Such a "re-adjustment of customs duties as will produce the most effective protection to American products and labor," according to the Republican theory of protection, will necessarily reduce the revenue by prohibiting importation of dutiable

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goods, but it will not reduce taxation upon the people. It will in fact increase taxation, but the tribute paid by the consumers will go into the private coffers of the domestic producers, and not into the public treasury. In the end, however, it will be of no real benefit to anybody; for while it will largely enhance the prices of finished products, and thus impose upon the domestic consumer a burden he ought not to bear, it will also increase the cost of production and exclude our manufactures from all the markets of the world except our own. The Republican tariff policy, as defined and advocated by Senator Dawes and the school of economists which now dominates that party, has already reduced many of our most important manufacturing industries to the verge of bankruptcy, while its disastrous effects upon the agricultural interests of the country have been so general that the wail of the farmer is heard in every part of the land. There has never been a time in our history when there was so much discontent and so little prospect of improvement as there is now, among those classes that ought to be prosperous. It is not the wage-earner alone that sends his petitions and complaints to Congress and its committees. Nearly every trade, occupation, and profession is organized to formulate and present its demand for relief, and the Republican Party responds to their appeals by proposing to extend and strengthen the protective system of taxation under which they have been reduced to their present condition. This, and the appropriation of public money out of the treasury for the benefit of a few favorite classes, is the only remedy it proposes. The evils resulting from thirty years of protection are to be cured by more protection, and the overburdened taxpayers are to be relieved by having their forced contributions given away to wealthy individuals and corporations engaged in the foreign carrying trade. The farmer will continue to sell his products in a cheap market and to buy his supplies in a dear one. He will see his competitors in South America, Australia, India, Hungary, Russia, and other parts of the world constantly and rapidly encroaching upon the foreign markets in which he sells his surplus, and he will be powerless to make head against them, because the laws of his own country forbid him to exchange his products for the things he needs, and to

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bring them here unless he pays a tax upon them equal, or nearly equal, to their cost abroad. The American manufacturer will find his boasted home market not merely unwilling, but unable, to take his goods at the high prices which are necessary to compensate him for the increased cost of production due to the taxes on his raw materials; and as he is excluded from all other markets, he will be compelled to close his works or gradually to consume his capital. Many have already reached the point where they must choose between these alternatives, and if the present system is continued, and made more restrictive, as advocated by Senator Dawes, the number will be greatly increased in the near future. While high protective duties have undoubtedly in many cases enabled the producers of the protected articles to realize enormous profits upon their investments, the mere fact that prices are higher here than abroad does not always indicate that large profits are being made. Under our system, high prices, or comparatively high prices, are absolutely necessary in order to enable our manufacturers to carry on their business, because their material costs them more than it costs any other producers in the world; and as long as it is taxed as it now is, this will continue to be the case. It is not the wages of labor in this country that increase the cost of production, for all the reliable evidence upon the subject goes to show that, although wages by the day or week, as the case may be, are higher here than abroad, yet the actual cost of the labor to the employer, compared with the amount and value of its products, is less in the United States than elsewhere. What the laboring man most needs is steady employment, and this protection cannot give him. That policy which encourages trade, facilitates the exchange of commodities, and opens the markets of the world to his products, is the best policy for him, because it widens the area of consumption and increases the demand for his labor. Unless a small market is better than a large one, the restrictive policy of the Republican Party cannot be permanently beneficial either to the capitalists engaged in productive industries or to their employees. It is not an American policy, but a Chinese policy, that Senator Dawes and his party are advocating; and its real character and purpose cannot be concealed by reiter-

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ating the charge that its opponents propose to give to foreigners "the possession of our markets and the control of our labor." If partial commercial isolation is good for the country, total isolation must be better; and the Republican Party, with complete control of the government in all its departments, performs less than its whole duty, according to its own theory, when it stops short of absolute prohibition of international trade. There are very few, if any, articles of necessity that cannot be produced here, if a sufficient amount of money is expended in their growth or manufacture; and as protection is supposed to help everybody, including even the consumer who is compelled to pay the increased cost of production, why should we not be required to provide for all our own wants regardless of the expense?

But Senator Dawes, instead of following his own argument to its logical conclusion, actually repudiates the foundation upon which it rests, and insists that our trade with foreign nations ought to be promoted by "the rehabilitation of our merchant marine," and by the establishment of closer relations with the republics of South America, which, he says, would result in "the increased interchange of commodities that constitutes profitable commerce." An interchange of commodities necessarily includes importations as well as exportations, and it is plain that if we desire to encourage such exchanges with South America or any other part of the world, our first duty is to remove, as far as possible, the restrictive tariff regulations which now interfere with them. The Senator says: "All duties must necessarily either retard or facilitate importations." While it is not apparent how any duty can facilitate importations, it is evident that all duties must retard them to a greater or less extent. South America wants to sell us wool, copper, and other articles, and to buy from us agricultural implements and other manufactures, and the Republican Party proposes to encourage this trade by subsidizing steamships to ply between the ports of the two countries, and at the same time discourages it by imposing taxes upon the wool and copper when they seek to enter our market; and this inconsistent and absurd policy is eulogized by the Senator as the perfection of American statesmanship. What right the government has to tax the farmers, mechanics, and other

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producers in the United States for the purpose of raising money to be donated to the owners of ships, is a question which appears to have escaped the attention of the advocates of subsidies and bounties; but it is a question that will be persistently asked by the victims of their policy, and it will have to be answered sooner or later. It is a practical question, and it cannot be satisfactorily answered by mere declamation or by rhetorical figures illustrating the beauty and glory of the American flag on the high seas. What the taxpayer will want to know, is why he should be compelled to pay the expense of exhibiting the flag when somebody else is to realize all the profits.

It is scarcely worth while to review the general statements made by the Senator concerning the attitude of his party in relation to reform in the civil service. All he claims for the present administration is that it has selected good men to execute the law; that may be admitted, although it occupied a long time in the performance of this simple duty. He refers to the passage of the first civil-service law by a Republican Congress, but omits to state that another Congress of the same political complexion starved the Commission to death by refusing to make appropriations for its support. What the present Congress will do remains to be seen; but it is apparent that the administration itself entertains no friendly feeling for the system or for the principles upon which it is founded. Since the organization of the government there have never been, during the same length of time, so many removals for purely political reasons as have been made since the fourth day of March, 1889; and the process is still going on as rapidly as victims can be found. The claim that "to the victors belong the spoils," has never in our history been so vigorously asserted or so relentlessly enforced by a party in power, and yet the pretense of devotion to the cause of civil-service reform has been all the time ostentatiously proclaimed to the country. It is true that nobody is deceived by this pretense, but still it is an affront to the intelligence of the people that ought not to be tolerated.

The Republican Party came into power burdened with obligations which it finds itself unable to discharge, and the most difficult problem it now has to solve, is how to reward its friends

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and pay even a small part of its political debts without ruining the country. When out of power it promised everything to everybody; but there is not money enough to go around, and as no one is willing to be left out of the distribution or even to reduce his claim, the situation has become quite serious. It has promised the taxpayers that it would reduce taxation, and it has promised the soldiers and the subsidy-hunters that it would increase the expenditures. It cannot do both, and it dare not refuse to do either. It has promised the friends of silver that it would help them to remove the restrictions now imposed by law upon the coinage of that metal, and it has promised the advocates of the gold standard that it would do nothing to depreciate the value or interfere with the stability of our currency. In a vain effort to keep both of these pledges, it proposes to convert the Treasury Department into a warehouse for the storage of silver bullion, and to issue receipts to be used as money. This is the only new financial policy it has so far developed, but its resources are not yet exhausted, and if the demands of the discontented become sufficiently strong, we may have paper promises to pay issued upon deposits of wheat and corn, or upon farm mortgages. It will be difficult to satisfy the plundered and impoverished farmer that his claim upon the bounty of the government is not as just as the claims of the prosperous owner of silver mines or the wealthy owner of ships.

The Senator is ominously silent upon the subject of pensions to the soldiers and sailors of the late war—a subject to which more prominence has been given than perhaps to any other in the political campaigns of the past. The most extravagant promises have been made by the Republican Party to these classes of our citizens, but now when it has, largely by reason of these promises, secured the absolute power to enact any pension legislation it chooses, it hesitates, and begins, for the first time, to calculate the cost of redeeming its pledges. It is now evident that not one half of what was promised will be done, and that this question will be left open for use in future campaigns. Unless the credulity of the soldier is inexhaustible, he will not be content with new promises or with renewals of old ones.

Already the Republican Senate has deliberately repudiated

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one of the pledges repeatedly made in national platforms, and upon which the party secured no inconsiderable number of votes in all parts of the country. For many years, when it had control of only one branch of the legislative department, the Republican Party insisted upon the passage of a bill appropriating a large sum of money from the federal treasury for educational purposes in the States; and such a measure has three times received the approval of the Senate. For eight years it has been strenuously contended, in and out of Congress, that it was the duty of the colored man to vote the Republican ticket, and the duty of the Republican Party to educate his children at the expense of other people; and the Democratic House of Representatives has been denounced in unmeasured terms for its refusal to consider the several Senate bills sent to it. The Senator himself, in defining the position of his party upon this and other questions, says:

"It acknowledges its obligation to educate for the ballot those to whom the nation has given it, and its duty to open wide the gates of opportunity for the people in every walk of life."

Although the nation has not in fact given or attempted to give the ballot to anybody, it is clear that the Senator refers to the colored people as the only ones to whom his party is under obligations in this respect; but the pledges heretofore made were not limited to any class, and the bill by which it was proposed to carry them out provided for the distribution of money to white and black alike in all the States. Since the Senator wrote, that bill has been rejected in the house of its professed friends, after a full discussion, thus affording another demonstration of the utter unreliability of Republican campaign promises.

The deluded Negro is now to be consoled for his past disappointments by the passage of a long, complicated, and impracticable election law, under which it will be almost impossible for him to cast a legal vote without the advice of counsel. All laws relating to the exercise of the right of suffrage, in a country where that right is extended to all classes of the people, should be so plain and simple that the humblest citizen can understand them and the most inexperienced official execute them. This is a proposition which will not be disputed by any one who

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honestly believes that the citizen who is entitled to cast a vote should have an opportunity to do so with the assurance that it can and will be legally counted and certified. But the Republican Party, upon the pretense of securing to all citizens the right to vote for Representatives in Congress, proposes to enact a law containing so many technical requirements, and involving the performance of so many official duties upon the part of those charged with its execution, that in many parts of the country it will be impossible to hold a legal election under it; and this is claimed to be in the interest of the ignorant and oppressed voter. Such a law would offer no remedy for any existing evil, but would greatly aggravate the situation, and result in continual controversies and contests wherever its enforcement might be attempted.

J. G. CARLISLE.

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CANADA THROUGH ENGLISH EYES.

Sir Charles Dilke, in his very important and interesting work on the "Problems of Greater Britain," rebukes the present writer for dealing with Canadian questions in English and American organs of opinion. "The Canadians," he says, "prefer to fight the matter out among themselves." His rebuke must be extended to the ex-Governor-General of Canada, Lord Lorne, who the other day discussed the same questions in this very American review. Canada has no organ in which anything can be discussed at greater length than that of a newspaper editorial. The attempt to give her one has more than once been made in vain. The fact is significant, because there could hardly be a better proof of literary nationality than ability to support a first-class periodical. Ontario is not large or rich enough, and it is completely cut off in every sense from the maritime Provinces by French Canada. Canadians can hardly fight out among themselves such a matter as their relations to two other countries, each of which must have a voice in the settlement. No etiquette will keep them and the Americans from freely discussing the "problem" which forces itself on the mind of every one who has traversed the line of Canadian Provinces or even stood on the banks of the St. Lawrence. A Canadian, therefore, need not hesitate in an American review widely read both in Canada and England, to say a word on the Canadian portion of a book written by an Englishman and published in London and New York.

Little slips, such as the statement that the seats in the Canadian Parliament are not parted down the middle as in the British Parliament, but arranged in a semi-circular form as in Congress, indicate that Sir Charles's recollections of Canada are not very fresh. He has got himself wonderfully well informed as to events up to date. But to be informed as to events is not always to see them in their real bearing. Of this we may have one or two ex-

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amples. Yet want of clear insight into the meaning of particular events is of little consequence, as it seems to us, compared with the general fallacy which inheres in any panoramic view of the British possessions and dependencies, whether its title be "Empire" or "Greater Britain." "Empire," which means centralized dominion, such as that exercised by Cæsar or Charlemagne, is utterly inappropriate to self-governing colonies over which the country styled imperial has resigned every vestige of command. "Greater Britain" is not less inappropriate to 250,000,000 of Hindoos, to the French of Canada, the Negroes of the West Indies, or the medley of races in South Africa. That an old European nation like Great Britain, forming an integral part of the European system, the Mogul Empire, a set of purely British colonies in the South Sea, a set very far from purely British on the southern point of Africa, another set on the continent of North America with a large French community in the middle of them, and the black population of the West Indies, are destined to form a permanent unity, and that the "problems" relating to each of them are to be treated on that hypothesis, is surely a most precarious assumption. Take the two members of the Empire between which the resemblance is apparently greatest, Australasia and Canada. Both are self-governing colonies with a large British population, British institutions, and the same formal relation to the mother country; but there the likeness ends. Australasia lies by herself in the Southern Ocean; Canada is on the edge of a vast continent inhabited by the English-speaking race. The external relations of Canada are to the United States. The external relations of Australasia are to races at the Antipodes; and Sir Charles Dilke admits that if British diplomacy were to cross Australasian interests in that quarter, Australasia would secede diplomatically, which she could not do without seceding politically also.

What has been the real bond of this Empire, or whatever it is to be called? Command of the sea, which Great Britain had when it was formed, but which she now has no longer, steam and the growth of other naval powers having taken it from her. Her fleet is still no doubt by far the most powerful; but Sir Charles Dilke seems to admit that in case of a great naval war it would

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have enough to do in protecting the British Islands, and that even the Mediterranean fortresses would probably be left to shift for themselves. He wants each part of the Empire to be put on a footing of self-defense, and a great part of his book is devoted to this subject; but he can hardly help being conscious that the enormous expenditure necessary to render every part of so scattered an empire impregnable will never be encountered. There is the less chance of its being encountered the more democratic the communities become. It appears that in Australasia a military policy, even of a very moderate kind, has brought unpopularity on its authors. That the fiscal and commercial unity of the Empire is at an end, the reader of "Problems of Greater Britain" must plainly see.

Anything in the way of imperial federation Sir Charles does not seem to think is coming, at all events for the present. If it does not come at once, it will never come, for the current of events is setting steadily, not toward centralization, but toward self-government. Moreover, democracy in its most extreme form gains ground in England, and democracy cannot govern an empire. British demagogism is already a greater danger to India than native disaffection, financial difficulty, or Russian arms. Sir Charles Dilke himself would give Ireland home rule, that is, independence. He would dismember the imperial country, and yet he hopes to hold together an empire the members of which are dispersed over both hemispheres and all the zones.

Canada is a disjointed tier of Provinces lying along the northern edge of a continent inhabited by a population identical with the bulk of her own and with which her own is being rapidly fused by reciprocal migration. The continent forms her natural market, and she is divided from it only by a conventional line. The fundamental institutions of the two masses of population, as well as their race, language, and religion, are the same. Will the Canadian Provinces ultimately gravitate toward their own continent, or will they always remain separate from it and connected with a kingdom on the other side of the Atlantic? That is the Canadian problem, and it does not appear to us to be distinctly proprounded or directly dealt with in these pages.

Sir Charles Dilke uses only the political map, which presents

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Canada uniformly colored as a vast and unbroken territory extending from the American boundary to the Arctic circle, equal in size to the United States, and promising to form that counterpoise to the democratic power for which British Toryism sighs. But let him take the physical, the ethnological, the economical map; the picture will then be changed, and the true features of the problem will come into view. The physical map will show the four distinct blocks of which the Dominion consists—the maritime Provinces, separated from Old Canada, French and British, by a wide and irreclaimable wilderness; Old Canada, separated by another wilderness and a fresh-water sea from Manitoba and the North-west; the North-west, again, by a triple chain of mountains from British Columbia; while each is physically united to the portion of the United States immediately to the south of it. The ethnological map will show that the line of British Provinces is cut in two by a French community, the nationality of which grows daily stronger and sharper. The economical map will show that instead of the vast expanse there is only a belt, and along the greater part of the line a comparatively narrow belt, of habitable and cultivable land, broken, moreover, into sections by the wildernesses or other natural barriers which divide Province from Province. If lines of trade could be delineated, it would further appear that there is hardly any commerce, of a natural kind at least, between the Provinces, while each of them is commercially identified with the country to the south of it on the other side of the line.

"If there were no custom houses between Canada and the United States, the bulk of the Dominion trade—indeed, comparatively speaking, the whole of it—would be done by the Canadians with their continental neighbors."

This remark is let fall, quite incidentally, not in one of the chapters specially relating to Canada, but in that on "Canada, the United States, and the West Indies"; yet, if true, as true it unquestionably is, it surely forms a most important factor in the problem, and ought not to be thrown out by the way, but placed in the forefront of the inquiry. It means no less than that the Canadians by their present political relations are excluded from their natural market. To exclude people from their natural

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market is to condemn them to commercial atrophy, which, in fact, is the lot of Canada. Can the Canadians be expected to endure this forever? Would the British themselves endure it? Canadians are not knights errant in quest of the Holy Grail; they are husbandmen, mechanics, and tradesmen in quest of their bread, and most of them working hard and living hard to earn it. It is true that in the chapter on the Dominion of Canada we are told that the Canadian Pacific Railway has changed the question of commercial relations by "opening up fresh developments of commerce and communication from West to East and East to West"; but this statement is vague and unsubstantiated, nor as regards the fresh developments of commerce do we believe that it is capable of substantiation. Of late years there has been an increase in the volume of the trade between Canada and the United States, compared with that of the trade between Canada and England, notwithstanding the American tariff. As to inter-provincial trade, Mr. Longley, the Attorney-General of Nova Scotia, says:

"I take the solid ground that naturally there is no trade between Ontario and the maritime Provinces whatsoever. Without the aid or compulsion of tariffs, scarcely a single article produced in Ontario would ever seek or find a market in Nova Scotia or the other maritime Provinces; in like manner, unless under similar compulsion, not a product of the maritime Provinces would ever go to Ontario. Twenty years of political union and nine years of an inexorable protective policy designed to compel inter-provincial trade, have been powerless to create any large trade between these two sections, and what it has created has been unnatural, unhealthy, and consequently profitless."

Whatever can be done to fight nature with political railways, Canada, or rather her Tory government, is assuredly doing; but what railways can reverse natural tendencies so strong as these?

Besides foregoing her natural market and suffering commercial atrophy, Canada is out of her reduced means to meet a heavy military expenditure for the purpose of defending her territory, or a part of the Empire, against the people of the United States. Again and again Sir Charles, seeing the present state of her defenses, drives the spur into her on this subject. He says, with reason, that if she wants independence she ought to be ready to defend it. But how is she to afford the money for armaments

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sufficient to protect a frontier, for the most part perfectly open, of three thousand miles, against a nation outnumbering her twelvefold, and vastly superior in the wealth which is now readily turned into military force? Already the expenses of her government, in proportion to her population and wealth, are excessive. Six millions in the aggregate have gone since confederation in pseudo-monarchical offices, the governor-generalship and lieutenant-governorship, which are a mere pageant. One hundred and fifty millions or thereabouts have been spent in political and military railways or other imperialist works. If to this is to be added a large military expenditure, bankruptcy will be the end. And against whom are Canadians thus to live armed to the teeth? Against a people which Sir Charles Dilke himself almost treats as a part of Greater Britain; against their own sons, brothers, and cousins—for there are now a million of Canadians and half a million of their children south of the line. Sir Charles Dilke himself says:

> "The Washington government, in this Winter of 1889-90, is assuming the position fairly conquered from the world, of patron of all the republics of America, North and South. . . . We must look forward to an eventual protectorate which, great as is the weight of the United States in the world, will bring to it an increase."

Will people ruin themselves for the sake of the difference between a protectorate and a union, when the union would not only leave intact, but enhance their self-government, and place them under institutions essentially the same with those which they now enjoy? "If," says Sir Charles, "Canadians were unanimously anxious at all costs to maintain their independence of American influence or domination, they would keep up a large organized defense militia." As they do not keep up a large organized defense militia, and as there is not the slightest chance of their doing it, the inference is that they are not unanimously and desperately opposed to union.

Sir Charles's view of the astonishing success of confederation and the Canada Pacific Railway in making all the Canadian Provinces and both nationalities one, is, it must be said, official. He is in danger, with other Englishmen, of being kept in a fool's paradise on this subject. He will find that no one in Nova

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Scotia or New Brunswick calls himself a Canadian, and that a British Columbian repudiates the name, while Manitobans speak of their total estrangement from eastern Canadian interests in the plainest terms. The following incident, which occurred the other day in the Nova Scotia Assembly, is significant:

"Mr. McKay: 'You might get a double million magnifying microscope, and, with the exception of one or two, you cannot find a repealer on the government side of the House.'
Mr. Roche: 'Allow me to interrupt you a moment. I am a repealer.'
Mr. James A. Fraser: 'And so am I.'
Mr. Law: 'The honorable gentleman had better count me also.'
Mr. J. S. McNeil: 'Count me also.'
Mr. McCoy: 'Here is another.'
Mr. John A. Fraser: 'Count me also.'
Mr. Rand: 'Count me also.'"

He will find that though French Canadians love Canada, Canada to them means New France. A glance at their school histories will enlighten him thoroughly on that point. He flatters himself that Quebec has been turned by statesmanship into "a bulwark of the Empire," though on the opposite page he says, very truly, that "the younger men in the Province of Quebec have taken the French tricolor as their flag." Quebec would be a curious bulwark of the Empire in case of a French war. Sir Charles sees that this alien nationality is not only thrusting the British remnant out of Quebec, but encroaching on Ontario. Whither does this tend? He does not say.

His Canadian Pacific Railway, which performs such miracles for the "national policy," is now, though he marks it not, half an American road, and a symbol of the resolve of nature to join the two sections of the English-speaking race, let policy struggle to put them asunder as it may. Its chief function as a colonization road seems to be the carriage of settlers through British territory to the States. As a military road it is useless to England, not only because it lies within the grasp of the Americans, but because, passing through the State of Maine, it would, in case of war between England and any power friendly to the United States, be closed against the transit of troops by international law. Recourse must then be had to the circuitous and run-down Inter-colonial.

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Putting all the elements of the problem together, it appears that to keep the members of the Dominion united in themselves and severed from their continent, a desperate war against nature must be waged. What, in Sir Charles's deliberate opinion, is the prospect of success? If he looks forward to an American protectorate, he must at least have made up his mind to a compromise with destiny. He thinks there can be no equal union between Canada and the United States. Why not as well as between Scotland and England, or as well as between the four States which have just been received into the Union and the rest?

"The growth of wealth in the Dominion," says Sir Charles Dilke, "by every test that can be applied, has been rapid since confederation, but more rapid since the adoption of a protectionist policy than it was before that moment." These are startling words from a free trader, nor is it easy to reconcile them with the opinion expressed in another page, that Canada would gain by the adoption of a policy of complete free trade. Perhaps what Sir Charles means, is that as an imperialist he would rather have anything than commercial union. What are his tests? Canada, as he sees, is an agricultural country, and Ontario is the great farming Province. In the last seven years, the fall in the value of the farm property in Ontario has been twenty-three millions, according to the government report, which, experts say, is far below the mark. Half the farms are mortgaged to two thirds of their value.* The farmers are streaming over the line. Canada, says Sir Charles, produces men as rapidly as she produces timber; unluckily they also fall away from her like the leaves. This is no doubt traceable to other causes besides the commercial system, but the cause is not growth of wealth. The treasures of our mines are locked up for want of the continental market, capital, and machinery; the shipping interest on our lakes languishes; the lumber interest pines for the removal of the customs line. Sir Charles Dilke sees that the Canadian North-west does not fill up, while the neighboring States of the Union, by no means superior to it in soil or climate, fill up fast, and largely with Canadians; but he does not ask himself why. The reason

* See Sir Richard Cartwright's speech on the Budget, House of Commons, Ottawa, March 27, 1890.

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is that the Canadian North-west is out of the commercial pale of its continent, and that it is barred against continental immigration, the only sort of immigration really suited to that country. To encourage the settler in his struggle with the wilderness, a twenty-five per cent. duty was clapped on his farm implements in order to force him to buy in the markets of Eastern Canada; and as he still continued to buy in the market which was not only nearer but produced implements better suited to the country, he was further encouraged by the imposition of ten per cent. more.

That the manufactures forced into existence by protection have not paid, Sir Charles Dilke will learn on inquiry. Factitious stimulus has been followed by glut, short time, and combinations. The iron industry which Sir Charles Tupper hoped to create by laying protective duties on British iron, and which was to do so much for us, has come to nothing. The exportation to distant countries, such as China, is suspected to be a slaughter of surplus goods. If farm property has fallen in value, if other industries have not improved, and manufactures have not paid, where are we to look for this growth of wealth since the adoption of protection? There are manufactures in Canada on a sound basis which do not fear an open market. As to the result to the consumer, the head of our dry-goods trade said the other day that if Canadian manufactures were exposed to American competition, the capital invested in them would not be worth more than a third of its nominal value; so that the interest on the rest was to be paid by the public.

Sir Charles Dilke takes the growth of Toronto as a proof of general prosperity. It is nothing more than the set of population into the great cities, which he has himself explained in the case of Victoria, and which is now general. The smaller cities and towns are decaying or stationary. There has of late been a great, probably too great, importation of British capital into Canada, which has given a fillip, but at the same time is an addition to our debt—already much too heavy—to Great Britain.

The government betrays misgiving as to the real effects of its system by attempts to open up for us a market in the moon. If Canadians cannot hold their own against Americans in the mar-

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ket of their own country, how can they hold their own against Americans in the market of South America or Australia?

The United States are a continent, with an almost boundless range of production and a vast home market. Canada is a country, with a very limited range of production and a market all the smaller because the people are so widely scattered and freight charges are consequently so heavy. This makes all the difference between American and Canadian protection. Moreover, the commercial interests of the different Provinces have so little in common that the protection which is meat to one is poison to another. The protective tax on coal was meat to Nova Scotia and poison to Ontario. The government is beset by ludicrous embarrassments in trying to frame a protective tariff which shall be meat for all.

The provincial Legislatures are mainly in the hands of the Liberal Party, but in the Dominion Parliament Sir John Macdonald, the Conservative leader, retains a large majority, though it is rather a large majority of seats than of the popular vote. This shows, argues Sir Charles Dilke, that whatever the people may think about other questions, they are everywhere in favor of the national (protectionist) policy of Sir John Macdonald. The inference is plausible but not correct. The chief pillar of Sir John's party is Quebec, which Province is Conservative in Dominion politics, while it is French Nationalist in local politics —not because it is protectionist, for it is nothing of the kind, but because it is theocratic, and the clergy want to keep their power and their tithe. As to the smaller and remoter Provinces, the fact is, that having never been really incorporated, they care very little about Dominion questions or the old Canadian parties, and are easily captured at Dominion elections by subsidies from the federal treasury—"better terms" they are called—and by government grants to local railways and other local objects, which are frankly held out by government candidates as the price of support. We had a case the other day of a railway in Nova Scotia built at a cost to the Dominion of $1,300,000, nominally to save seven miles, really to strengthen the government interest in that quarter. The poverty in which the maritime Provinces especially are kept by exclusion from their natural market,

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makes the constituencies all the more open to the influence of government favors. The exodus also, by carrying off the most active and independent spirits, is a vent for discontent and a safeguard of Sir John Macdonald's power. The nominations to the Senate are used not only as strict party patronage, but as inducements to spend money in contesting elections. It is not so very difficult for a "business" government to hold together even the most "incongruous" elements by such means.

Sir John Macdonald has a majority of the members for Manitoba in the Dominion Parliament; yet the provincial Legislature of Manitoba has just protested against his commercial policy by a unanimous resolution, in which, it may safely be said, every man in the Province except government or Canada Pacific Railway officials would concur.

Sir Charles Dilke compliments Canada on the superiority of her public morality to that of the United States, and says that in Canada scandals "are almost unknown." He may depend upon it that wherever politics are a struggle between two factions for place, pretty much the same things are done; and that the danger is not diminished when, as in the case of Canada, Provinces and interests united by no natural bond are artificially held together to form a basis for the government. Patriotic Canadians deplore the effect produced by what has been going on for the last twenty years, on the political character of a most worthy people. It is unfortunately not the "corruption," but the "scandal," that is almost unknown. But protectionism is in itself corruption. What interests are "native" and to be protected, is decided by the lobby. The party leader before an election calls together the manufacturers, takes their subscriptions to the election fund, and pledges to them the commercial policy of the country.

When people are industrious, frugal, and temperate, as the Canadians are, and have a country as full of natural resources as Canada, no fiscal policy can prevent them from doing pretty well. But the fruits of the protectionist policy in Canada afford no support to the belief that communities can be made rich by taxation.

GOLDWIN SMITH.

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THE SUFFICIENCY OF THE NEW AMENDMENTS.

AN article by Judge Tourgée in the March issue of the FORUM challenges the efficacy of the recent Constitutional Amendments to accomplish the results they were designed to secure, namely, the integrity of the Union and the protection of the colored population. That the essay was not a mere academic disputation, but was inspired by a serious purpose and contemplates important objects, the writer, if he does not frankly avow, yet plainly betrays. But whatever the motive of the argument, its obvious tendency is to excite the apprehensions of all who are solicitous for the stability of the Union, and to agitate eight million colored citizens with anxiety for the security of those rights which they had supposed to be guaranteed them by the provisions of the amended Constitution. To quiet these alarms, and to confirm conviction of the sufficiency of those enactments for the great ends to which they are directed, is the purpose of this contribution.

Before proceeding to a consideration of Judge Tourgée's specific criticism of the Amendments, it is important to observe a radical modification which they have effected in the relations of the national government to the people of the United States. Prior to the adoption of the Amendments, the essential rights and liberties of the people had no other safeguard than the guarantees of the State Constitutions. The earlier Amendments of the Constitution were limitations only upon the action of the federal government, and imposed no restraint on the States in their relations to the people. Excepting the prohibition of bills of attainder, *ex post facto* laws, and laws impairing the obligation of contracts, the States were left absolutely free to define and regulate the people's rights. Now, it is conceivable that passion and prejudice and sinister interest might so prevail in a particular State, or in particular States, as to induce an abroga-

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tion of the securities of civil liberty, or, at all events, such a judicial construction of those securities as would render them nugatory. But by operation of the new Amendments all the essential rights and liberties of the people are taken under the protection of the federal government, and are guaranteed inviolability as against the States and any of their agencies.

1. "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States."* Judge Tourgée complains that here is no definition or enumeration of the "privileges and immunities of citizens," and that hence they stand insecurely upon mere judicial construction. But certainly it was a politic caution to abstain from such definition and enumeration, lest perchance some precious right or liberty should inadvertently escape mention and fail of protection. Already "judicial construction" has ascertained and declared that these privileges and immunities are those which "belong of right to the citizens of all free governments"; that they embrace all the fundamental rights of freemen; that they include every right within the comprehensive formula of the Declaration of Independence—the right to "life, liberty, and the pursuit of happiness." To ascertain what those fundamental rights of freemen are which the clause in discussion places under the guardianship of the national government, we need only to recur to the earlier Amendments of the Constitution. As first propounded, the Constitution contained no bill of rights, no reservation of individual right from the scope of governmental action; but, in deference to the demand of the people, the defect was promptly repaired. Surely, then, those rights which the earlier Amendments of the Constitution were devised and adopted to secure, fall within the category of "fundamental rights of freemen," else they would not have been so anxiously consecrated and conserved by the fundamental law of the nation. Reverting to the rights so distinguished and protected from infringement, we find that among others are included these: freedom of religion, of speech, and of the press; security against unreasonable searches and seizures; the right to a speedy and public trial by an impartial jury; exemption from self-accusing evidence; immunity from arbitrary

* Article XIV., Sec. 1.

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invasion of person or property. All these rights now stand inviolable under the guaranty of the federal government.

2. "No State shall deprive any person of life, liberty, or property without due process of law." Quite unaccountably Judge Tourgée omits this provision in his enumeration of the "constitutional advances" made by the new Amendments. Surely he does not consider this safeguard against the arbitrary encroachment of the State upon the rights of person and property as of too trivial significance to be noticed, for of all the securities to the people provided by the new Amendments none is of wider scope or farther-reaching consequence. Previously to its enactment, nothing stood between the State and the lives, liberties, and property of its citizens, save its own volition embodied in an organic law which it might change at will; but now any invasion of the rights of person or property, except "according to the prescribed forms and solemnities for ascertaining guilt or determining the title to property," is forbidden to the States; and the nation, with its almighty power, stands between the victim and the aggressor. Nor can the State evade the restriction by a procedure devised for the purpose, for "a statute passed for working the wrong is not due process of law." *

3. "No State shall deny to any person the equal protection of the laws." By this provision the equality of all persons before the law is recognized and enforced by the federal authority; and the State, in the distribution of the benefits and the imposition of the burdens of government, will not be suffered to discriminate adversely to the rights of any man or class in the community—to administer one law to the poor and another to the rich, one law to the white man and another to the Negro. The beneficial operation of this guaranty has already been displayed, in protecting corporations from unequal exactions, in shielding Chinamen from hostile discrimination, and in securing the Negro an impartial jury on his deliverance from criminal accusation.

Thus it is that now the freedom and the security of the American people are protected by a twofold panoply—the safeguard of the State and the safeguard of the nation. If the new Amendments had no other or further effect, this alone would

* Bronson, J., in Porter v. Taylor, 4 Hill, 140.

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challenge for them the grateful homage of the people. But the crowning glory of the new Amendments remains yet to be signalized. By Article XIII., slavery, of whatever name and in whatever guise, was effaced forever from the soil of America; and by the first section of Article XIV., citizenship, State as well as national, was made the birthright of the Negro. Thus, by these beneficent and ever-memorable enactments, five million human beings were set free from bondage and invested with the plenitude of citizenship in the imperial republic of the world; and by a caprice of retributive justice, the court which had just declared them incapable of civic rights was made the sanctuary of their liberties.

So far the Amendments seem entirely adequate to the ends for which they were designed. But Judge Tourgée affirms them to be defective still in two essential particulars. First, he says:

> "The doctrines of the paramount prerogative of the State and the paramount allegiance of the citizen to the State, are said to have been 'settled by war.' These doctrines are not even yet obnoxious to any constitutional inhibition. Their correlates, secession and nullification, are not punishable offenses, nor even constitutionally-negatived theories. The doctrine of State sovereignty rests to-day upon precisely the same legal basis that it did one hundred years ago. . . . To some this will seem, perhaps, a surprising fact."

Not to "some," but to all, and not "perhaps," but certainly, it is a surprising revelation that so much blood and treasure have been expended to no purpose; that so many heroic lives have been offered in a useless, and because useless, a wicked, sacrifice; that the wisdom and virtue of statesmen have been exerted in vain to consolidate the Union on the stable basis of constitutional authority; and that, after all, secession and nullification are still vital and operative principles in our political system. For one, at all events, I reject this cynical estimate of the results of the mighty struggle. For one, I hold that secession and nullification, as potential facts, were annihilated by the stroke of war, and that as principles they no longer find shelter or pretense of justification in the theory of our government.

The occasion of Judge Tourgée's pessimistic outcry, is the omission from the new Amendments of any explicit negation of the right of secession. But here was another wise and politic

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abstention on the part of the statesmen who reconstructed the Union. A direct and formal denial, in the new Amendments, of the right of secession, would imply a necessity for such denial; and the necessity of such denial would involve the admission that otherwise the right did exist; and this admission would carry with it the implication that, after all, the Confederacy had reason and right on its side. And if so, then the war on the part of the North was an iniquitous crusade against a people contending only for their chartered rights. But the statesmen of that day were too sagacious to commit themselves and the nation to so self-stultifying a conclusion.

Nor, indeed, was any explicit challenge of the principle of secession necessary to its exorcism from our system of government. The case was this: the Confederates affirmed the right of a State to withdraw at will from the Union, and denied the right of the nation to coerce them back into the Union; the nation denied the right of secession, and asserted its right to compel a State to remain in the Union. Upon this issue the battle was fought, with the result that, in point of fact, the asserted right of secession proved to be nothing more than an idle claim, incapable of enforcement, and fraught with the most frightful calamities to the party advancing it. That the right of secession, whatever its validity in abstract speculation, is no longer a practical principle in American politics, and will never again be asserted as the ground and justification of separation from the Union, has been definitively settled by the most decisive of all adjudications, the dread arbitrament of war. Power is a surer guaranty than paper.

And yet the new Amendments do negative the right of secession by implication, that is, by abrogating the fundamental principle of the former federal system, and by substituting a principle with which paramount State allegiance, and so the right of secession, are utterly incompatible.

As the original Articles of Confederation constituted only a league between the States, citizenship of the so-united States was a thing inconceivable; and accordingly the only citizenship then possible as a legal fact was citizenship of the State. National citizenship was introduced for the first time into the

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American polity by the Constitution of 1787. But national citizenship under that Constitution was not primary and paramount, but secondary and subordinate. National citizenship was only an incident of State citizenship; one was a citizen of the Union because, and only because, he was a citizen of a State.

"Strictly speaking, there were no citizens of the United States, but only of some one of them."* "Under the Constitution [of 1787], citizenship of the United States, in reference to natives, was dependent upon citizenship in the several States, under their Constitution and laws."† "No man was a citizen of the United States, except as he was a citizen of one of the States."‡ "Every citizen of a State is *ipso facto* a citizen of the United States."§

Since, then, citizenship of the State was the primary and paramount citizenship, and citizenship of the United States only derivative and dependent, the logic of secession deduced the conclusions, first, that allegiance to the State was primary and paramount, and allegiance to the United States only secondary and subordinate; and, secondly, that on occasion of conflict between these diverse allegiances, allegiance to the State imposed the greater and the more imperative obligation. Hence the doctrine of the right of secession.

But by the new Amendments all this is changed. The principle is inverted. Allegiance to the Union is made the primary and paramount allegiance, imposing the greater and the controlling obligation; and allegiance to the State is degraded to a derivative and dependent allegiance, imposing no obligation in competition with the original and supreme allegiance. "All persons born or naturalized in the United States are citizens of the United States and of the State in which they reside."‖ Thus, citizenship is created by the federal government, and prescribed by it to the State. Accordingly,

"A citizen of a State is now only a citizen of the United States residing in that State."¶ "Citizenship of the United States is the primary citizenship; State citizenship is secondary and derivative, depending upon citizenship of the United States."**

* Shannon v. Hill, 26 Federal Reporter, 343.
† Slaughter-house Cases, 16 Wallace, 94. ‡ Id., 72.
§ Story on the Constitution, Sec. 1693.
‖ Amendments, Article XIV., Sec. 1.
¶ Slaughter-house Cases, 95. ** Id., 112.

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Thus, by the new Amendments the fundamental postulate of secession and nullification, namely, the supremacy of State citizenship and State allegiance, is destroyed, and in its stead is substituted the contradictory principle of the supremacy of national citizenship and national allegiance—a principle which necessarily involves negation of the right of secession and nullification.

By another provision of the new Amendments, still another implied but emphatic protest against the right of secession protects the integrity of the Union. The first section of Article XIV. forbids a State to abridge "the privileges or immunities of citizens of the United States." But the assumption that a State may leave the Union at will, necessarily involves the admission that a State may not only "abridge" but abolish the "privileges and immunities of citizens of the United States"; for manifestly no federal privilege or immunity can attach to a community not in the Union.

Even more decisive against the hypothesis that secession may still consist with the Constitution, is the provision by which Congress is armed with plenary power to enforce all the guaranties of the new Amendments. By this provision the nation assumes supremacy and sovereignty over the States; and unless a right to coerce a State be compatible with the right of a State to secede, this provision annihilates secession.

Suffer me to deduce, as a corollary from the foregoing argument, a hope that Judge Tourgée's imagination will be no longer affrighted by the phantom of secession.

But, secondly, Judge Tourgée's chief criticism of the new Amendments is directed against the provisions affecting the elective franchise; and he expends much labor in an effort to show that they are altogether insufficient as a guaranty of suffrage to the Negro. Indisputably, if their object was formally to confer the suffrage upon the Negro, these Amendments have miscarried in their design, although in effect they may in a certain predicament invest him with the elective franchise.*

In readjusting the relations of the government and people after emancipation, it was as competent to the nation to make the Negro a voter as to make him a citizen; but such degrada-

* *Ex parte* Yarborough, 110 U. S., 665.

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tion of the States, by depriving them of the distinctive feature of autonomy, namely, the right to create and qualify the electoral body, was not in the minds of the framers of the new Amendments, who even in that tremendous crisis adhered tenaciously to the characteristic principles of the federal system. They plainly desired that the newly-enfranchised class should be invested with the suffrage; but they recognized that, in conformity with the genius of our institutions, the right to vote was within the gift of the State, and not of the United States. So, by the second section of the Fourteenth Amendment, the most persuasive argument was employed to induce the States to confer the elective franchise on the Negro, namely, the provision that if he be not a voter he shall not be a constituent of representation. It being apprehended, however, that not even the aggrandizement of their political power would avail alone to move the southern States to bestow the suffrage on the Negro, the nation, then, by the Fifteenth Amendment, forbade any discrimination against him in conferring the right to vote. Further than this the new Amendments do not guarantee the elective franchise to the Negro. Is this guarantee sufficient? Judge Tourgée contends that it is not; I affirm that it is.

The interdict in the Fifteenth Amendment against denying or abridging the right to vote on account of race or color, not only prevents the absolute disfranchisement of the Negro, but insures him also an equality of electoral capacity; for a prescription of different qualifications involves necessarily an abridgment of the right to vote of the race upon whom the more onerous condition is imposed. Hence the fact that in every State of the Union the black man is a voter, and a voter upon precisely the same conditions as are prescribed for the white man.

But, it is said, the States may deprive the Negro of the suffrage. So likewise may they deprive the white man. Nay, so *must* they deprive the white man, for under the Fifteenth Amendment no disqualification can be applied to the black man that is not equally operative against the white; and, conversely, whatever qualification is conferred on the white man, *ipso facto* operates to make the Negro a voter.* The States can disfranchise

* *Ex parte* Yarborough, *loc. cit.*

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the Negro not otherwise than by disfranchising at the same stroke the white man. Any enfranchisement must embrace both classes equally and alike; any proscription must include both classes equally and alike. Again, any disfranchisement of the Negro by a State reduces proportionally its political power—its vote in the House of Representatives and its vote in the Electoral College. That the South should so sacrifice its influence in the government, is an event that has not happened, and that, we may be sure, will not happen. And still more inconceivable is it that, in order to disfranchise the Negro, the white men of the South will voluntarily disfranchise themselves.

Thus, by the conjoint effect of these two provisions in the new Amendments, the Negro is abundantly guaranteed in the enjoyment of the elective franchise.

But Judge Tourgée propounds a construction of the Fifteenth Amendment which, if tenable, would indeed arm the States with power to withhold the suffrage from the Negro; and it is that construction which inflames him with indignation and alarm for the imperiled rights of the colored people. The language of the Amendment is: "The right of citizens of the United States to vote shall not be denied or abridged on account of race," etc. In his exposition of the sense of these words the learned commentator assumes that "the term 'right to vote' means the vested right of a duly-qualified voter"; that one who "has never possessed the right to vote has not a right to vote which can be denied or abridged." And from this postulate he deduces the inference that the only operation of the Fifteenth Amendment is to prevent the deprivation of an already enfranchised voter—to hinder the taking away of what the citizen has; but that the provision is utterly ineffectual to prevent withholding the suffrage from any one in whom it is not actually vested. In other words, the proposition is that while the Fifteenth Amendment disables a State to disfranchise existing voters on account of race, etc., the State is not restrained from refusing to confer the suffrage on a Negro in whom it is not already vested. That I am not gratuitously imputing to Judge Tourgée a far-fetched and fantastic conceit, is demonstrated by his own explicit affirmation of power in a State "to provide that, on and after a certain date, only *white*

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males should become voters on arriving at the age of twenty-one years." Surely, no argument can be necessary to exhibit the absurdity of this proposition. Its basis is a verbal quibble as strained and fanciful as that by which in former days a certain abolitionist essayed to prove that the Constitution forbade restitution of fugitive slaves: "No person held to service or labor in one State, escaping into another . . . shall be delivered up." If the provision were that no citizen shall be *deprived* of the right to vote, there might be some plausibility in the contention; but as it is the *denial* of the right that is prohibited, such prohibition is violated whenever concession of the right is refused. Indeed, Judge Tourgée himself admits that the purpose in the adoption of the Amendment was "to provide that a colored man should, in every State and for all time, be entitled to become a voter upon the same terms and conditions as the white man"; and the words employed are apt and efficient to accomplish the purpose.

Whether Judge Tourgée intends modestly to suggest a doubt as to the validity of his contention, or means rather to claim the merit of originality for his discovery, he admits that "the view now presented has not been taken by juridical writers."

It is said above that, under certain circumstances, the effect of the Fifteenth Amendment might be to confer the elective franchise on the Negro; but even then, that effect is dependent upon the volition of the State. The language of the Amendment is merely negative—not bestowing suffrage, but only forbidding a deprivation of it on account of race, color, or condition. It is by compelling a choice between the admission of the Negro and the exclusion of the white man, that the former may be incidentally invested with the right to vote; but still the State is free to elect between the alternative propositions, and so may defeat Negro suffrage, as it may defeat white suffrage. In either case it is the will of the State that determines the event. It results, therefore, that the Fifteenth Amendment is obnoxious to neither of the two objections leveled against it from opposite quarters—from one quarter, that it imperatively bestows suffrage on the Negro; from the other, that it affords no adequate guaranty against the exclusion of the Negro from the elective franchise.

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Precisely the same guaranty secures suffrage to the Negro and to the white man; namely, an identical qualification for both and a loss of political power consequent on the proscription of either.

Enough is written, I trust, to vindicate the new Amendments from the disparagements of a critic to whom, one would suppose, they would appear of inestimable moment and value, as imparting and securing all the rights and privileges of American citizenship to the race of which he has approved himself the able and enthusiastic champion.

Along with Magna Charta and the Declaration of Independence, these ordinances will descend to the remotest posterity as monuments of human freedom and progress.

ROGER A. PRYOR

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LITERARY CRITICISM.

In a paper which I wrote for the "Contemporary Review" of last September, I gave reasons for disclaiming to be a reviewer. Having read many unjust and inadequate reviews of good writers, it is a source of happiness for me to know that never, either with or without my name, have I written insultingly or ungenerously of any human being. But not wishing to allude to myself at all, I struck the passage out of the revise, and it was printed only because the revise was delayed in transmission. For some reason the paragraph seized the popular attention, and was quoted and requoted in scores of journals. It had its share in calling out a reply from Prof. A. J. Church—*quem honoris causa nomino;* and curiously enough it furnished a fresh proof of the extreme fallibility of critics, for Prof. Church's reply was based on a complete mistake as to what I said. I said that the weaknesses and errors of every work will be pointed out by critics, "who will perhaps revel in the sense of their own superiority in the contemptuous condemnation of books of which they could not have written a single page." Prof. Church at once ran away with the notion that I had forbidden critics to pronounce any opinion of books which they could not have produced. Obviously I meant nothing so absurd. Just as a cat may look at a king, so a very ordinary mortal may, if he likes, criticise Shakespeare or Newton; but if in so doing he gives himself the airs of contempt, and "revels in a sense of his own superiority," he becomes ridiculous. Prof. Church—a high-minded and able man—showed that even in reviewing a single sentence a practiced critic may entirely overlook the meaning which lies plainly visible upon its surface.

What I then wrote was attributed to personal feeling; and as the same is sure to be said of this paper, I affirm that personal feeling has nothing to do with it. If I had been sensitive I should not have allowed thirty years to elapse without answering

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a syllable to any literary accuser. If I ever felt aggrieved I can say with Cicero, "*Consuetudo diurna callum jam obduxit stomacho meo.*" The hermit St. Macarius of Alexandria was once guilty of crushing a mosquito. For some reason he conceived himself to have committed a crime in doing so; and to expiate his misdoing he "hastened from his cell to the marshes of Sceté, which abound with great flies whose stings pierce even wild boars." There he continued six months, living in a cloud of venomous insects, against no one of which did he lift his hand. At the end of that time he was covered with stings so numberless as to be completely unrecognizable except by his voice, which one can only hope was

> "Unchanged
> To hoarse or mute, though fall'n on evil days;
> On evil days though fall'n, and evil tongues."

I have never been guilty of the crime of St. Macarius, and therefore I have not needed to perform the same expiation. But if I felt inclined to complain of criticisms from which I have suffered far less than many of my betters, it would be strange indeed that I should not have complained long ago, and not when I have developed a complete insensibility. In point of fact, I have received so much larger share of kindly approval, that the opodeldoc has been supplied in sufficient quantities to cure any stings. Let me then get rid of anything personal which I have to say in as brief a space as possible. I have had the widest experience of criticism of every form and caliber, and have therefore been able to estimate the character of those literary judgments which undertake to form public opinion. I have studied them in every phase—slight and thorough, competent and incompetent, honorable and dishonorable, pretentious and adequate, sincere and grossly insincere, fair and infamously unfair, inspired by an honest desire to be just and inspired by no nobler feeling than spite and a deliberate desire to injure. Truth compels me to say that I have seen but few reviews from which I could obtain the least information or adopt the most insignificant hint; and, like every one else, I have often been criticised—especially in "religious" and semi-religious journals —in a manner which reflects dishonor on the critics only. But,

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though I think, with Mr. Ruskin, that "a bad critic is probably the most mischievous person in the world," not even against the least honorable of them all do I cherish a particle of rancor. If I had anything to say to these, it would simply be the remark of Guizot when he fell from power, and saw the senators rushing to the tribune to denounce him: "*Montez, messieurs, montez toujours; vous ne monterez jamais à la hauteur de mon dédain.*" Once for all, then, I am writing *ab extra*. If I criticise some aspects of criticism, I do so as impersonally, and with an indifference as complete, as if I myself had never penned a line. I shall only mention a few considerations which seem worthy of the attention of critics, and which may perhaps subserve to the consolation of authors innumerable whom critics may have treated with undeserved contempt.

Every year scores of books are published by men and women who have neither learning, nor originality, nor insight, nor style, nor any single intellectual or literary faculty. In the domains of poetry and of religion especially, it is impossible not to be struck with the "pleonasm of nakedness, at once bare and bald," which serves so many souls as a literary garment. To all such, when they want to publish, the only reasonable advice is that given by Mr. Punch to those who wish to marry—Don't. Kingsley sings of the "feckless hairy oubit," and how

> "When he took the water, the saumon fry they rose,
> And tigg'd him a' to pieces sma', by head and tail and toes.
> Tak' warning then, young poets a', by this poor oubit's shame;
> Though Pegasus may nicher loud, keep Pegasus at hame.
> O haud your hands frae inkhorns, though a' the Muses woo;
> For critics lie like saumon fry, to mak their meals o' you."

But surely the critic need not lash himself to fury in order to crush writers who have mistaken their vocation. By the law of their existence, such writers cannot live as long as those ephemerids on the river Hypanis, of which Pliny tells us that they were born at the dawn and died in the evening. Why crush a butterfly upon a wheel? The authors are often most worthy persons, and if they have overestimated their own powers, the completeness of their failure will be a punishment sufficiently poignant to induce the critic to refrain from pouring his oil of

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vitriol into their wounds. "I should think it a cruelty," says Dr. Johnson, "to crush an insect who has provoked me only by buzzing in my ears; and would not willingly interrupt the dream of harmless stupidity, or destroy the jest which makes its author laugh." The remarks of Shelley in the preface to his "Prometheus Unbound," are both wise and kind:

> "Whatever talents a person may possess to amuse or instruct others, be they ever so inconsiderable, he is yet bound to exert them. If the attempt be ineffectual, let the punishment of an unaccomplished purpose have been sufficient; let none trouble themselves to heap the dust of oblivion upon his efforts."

But there are books of higher pretensions than these born-dead inanities, which seem, for reasons not the most creditable to human nature, to rouse almost into ferocity the dislike of critics. This is specially the case with books which have had the misfortune to be overpraised at first, or to have attained a popularity not reached by other works of higher merit. Now time will test all such books. Nothing can keep them alive for more than a short period. If anything in them be really good and valuable, it will stand the test; if not, they will perish speedily. Instances at once occur to the mind, of novels and poems especially, which, after an astonishing success, have disappeared like foam upon the water. To speak only of the dead, we may mention the poems of Mr. Martin Tupper and Mr. Robert Montgomery. The first success which they obtained was remarkable; the first notices with which they were greeted were ecstatic. But when the critics and the world discovered that they had been mistaken in their estimate, they turned round savagely on the unfortunate and perfectly well-intentioned writers. I do not admire the temperament of the man who can read without pain, and a sense of something like humiliation, the more than slashing and altogether exaggerated assault of Lord Macaulay on the much-to-be-pitied author of "Satan." Granted that he had very little, if any, of "the vision and the faculty divine"; granted that some of his similes were so impossible as to prove that with him words sometimes stood for real thoughts; yet the manifest gusto with which Macaulay performed his task of flagellation was little to his credit. Let any one read but two

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pages of the forgotten poems, and he will see that the poor clergyman had done nothing to deserve so tremendous an infliction of the bastinado. Five lines of Dante, any single page of Shakespeare, may be worth ten times over all that R. Montgomery ever said or wrote; but if the same *methods* were applied to Dante or Shakespeare, how easy would it have been for so brilliantly clever a critic as Macaulay, as it was for Voltaire, to show that Shakespeare was a drunken savage, and that of Dante's poems the "Inferno" was revolting, the "Purgatorio" dull, and the "Paradiso" unreadable! Indeed the very demigods of literature—Dante and Shakespeare and Bacon and Milton—have *not* escaped these methods. Horace Walpole called Dante "extravagant, absurd, disgusting; in short, a Methodist parson in Bedlam!" Samuel Pepys, Esq., thought "Othello" "a mean thing," and "Midsummer Night's Dream" "the most insipid, ridiculous play I ever saw in my life." Bacon's "*Instauratio Magna*" was described by an eminent contemporary as "the silliest of printed books." Hacket, in his "Life of Lord Keeper Williams," calls Milton "a petty schoolboy scribbler"; and another contemporary spoke of him as "the author of a profane and lascivious poem called 'Paradise Lost.'"

I contend that Macaulay's article was an act of wanton and needless cruelty, and a blot on his reputation. The objects of the author of "Satan" were purely moral; and the crime of being a third-rate, or even a tenth-rate poet, was much too severely punished by a man being held up to the insulting ridicule of millions of readers for several generations. It is not to the credit either of Lord Macaulay's head or of his heart that he contemptuously disregarded the agonized entreaties of the sufferer, and went on publishing the essay among his works, in spite of its essentially ephemeral character. "Methinks"—as was said by another sufferer—"the punishment was disproportionate to the offense." A similar remark applies to the ordinary way of treating the "Proverbial Philosophy" of Mr. Tupper. Seeing that the book, in spite of its commonplace and platitude, was at first highly praised, not only by the

> "Chorus of indolent reviewers,
> Irresponsible, indolent reviewers,"

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but by writers of the highest reputation, it must, I suppose, have had *some* merits. In any case, it was not to the credit of innumerable scribblers to make Mr. Tupper's name a sort of stale and standard joke, so trite as to have suggested to a wit the word "vi-tupper-ation." I would rather have written "Proverbial Philosophy"—though I never admired more than two lines in it—than have shared in the common baseness of incessantly heaping insult on a defenseless and amiable man, who, like the rest of us, may have had his foibles, but who had done his little best in life. The conduct of most men is like that of a swarm of flies in which each one should think it intolerable for any but himself to buzz. Says George Eliot:

> "Young Mr. Ladislaw was not at all deep himself in German writers; but very little achievement is required in order to pity another man's shortcomings. He only thought of giving a good pinch that would annihilate the vaunted laboriousness of Mr. Casaubon, and was unable to imagine the mode in which Dorothea would be wounded. . . . Mortals are easily able to pinch the life out of their neighbor's buzzing glory, and think that such killing is no murder."

There are some flies too large, and too formidable, and of too assured a position, to be treated in this way; and that is why common natures take special delight in giving extra pinches to other flies which have already been pinched out of all real power to buzz any longer.

It will be said: "After all, critics are only men; and you cannot expect them to rise superior to the ordinary foibles of human nature." That is true; but they are men who wield, or try to wield, the club of Hercules with the combined strength of many arms; and unhappily they have all the extra and deadly temptations which arise from their also wearing the ring of Gyges. They can strike tremendous blows in the dark, and are endowed by invisibility and impunity with a concentrated egotism—Dr. Whewell called it "*we*gotism"—which brings out in some men their very worst qualities. It is no infrequent event to see anonymous remarks and criticisms so unworthy, and dictated by motives so transparently base, that we may be sure they would not have been written if their authors had not been sheltered by anonymity from open shame. Anonymity, which to a good man makes no difference, becomes a strong temptation to a bad,

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sour, or commonplace man. Just as dastards who have been paid to do it, shoot down their victims from behind a hedge, so base writers are rendered more unscrupulous by concealment. Good and noble men have, to my knowledge, gone through life with the anguish of a hidden and rankling wound, inflicted by insects who would hardly have dared to sting had their real insignificance been known. Dr. Oliver Wendell Holmes is one of the most genial and kind of men, but he uses language much stronger than any which I should care to use, when, in his poetic address to Mr. Lowell, on February 22, 1889, he asks:

> "Who is the critic? He who never skips
> The luckless passage where his author slips;
> Slides o'er his merits, stumbles at his faults,
> Calls him a cripple if he sometimes halts;
> Rich in the caustic epithets that sting,
> The venom-vitriol malice loves to fling;
> His quill a feathered fang at hate's command,
> His ink the product of his poison-gland:
> Is this the critic? call *him not* a snake,
> This noxious creature, for the reptile's sake."

Things equally severe have been said of critics from the days of their great prototype Zoilus downward. If any one wished to retaliate on them, he need only go to the pages of Swift. Says Swift, in the "Battle of the Books":

> "Momus bent his flight to the region of a malignant deity called Criticism. She dwelt on the top of a snowy mountain in Nova Zembla; there Momus found her extended in her den upon the spoils of numberless volumes half devoured. At her right hand sat Ignorance, her father and husband, blind with age; at her left, Pride, her mother, dressing her up in the scraps of paper herself had torn. There was Opinion, her sister, light of foot, hoodwinked and headstrong, yet giddy and perpetually turning. About her played her children, Noise and Impudence, Dullness and Vanity, Positiveness, Pedantry, and Ill Manners. The goddess herself had claws like a cat; her head and ears and voice resembled those of an ass; her teeth fallen out before, her eyes turned inward, as if she looked only upon herself"—

and so forth, in a strain which I would not emulate even if it were ever so much in my power.

Possibly there may be some critics who deserve this tremendous indictment. But speaking of them *en masse*, I should not be disposed to lay to their charge much worse faults than those

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which belong to the vulgar multitude. For, as Mr. Matthew Arnold said, it is the eternal spirit of the multitude to catch up popular cries, to shout down the unsuccessful, and to trample savagely on the fallen. All that we can hope for is to call attention to their frequent "want of conscience and want of competence"; to remind them that they are in no sense the legislators of literature, barely even its judges and police; to break down the preposterous importance which the uninitiated attach to their *dicta;* and to awaken in some of them regard for a higher standard of conscientiousness, by calling attention to the fact that accident enables them to do an amount of good and harm which is entirely disproportionate to their real merits. They have to produce so much "copy" in so much time; they have to review books which often they have not really read, on subjects on which they are usually less informed than the authors, and of which they frequently do not even care to understand the objects. They are sorely tempted to be "smart"; to sacrifice justice to epigram; to pander to the low taste which delights in scathing insult; to crack lively jokes at the expense of the author, but also of their own conscience; to imply how much better they could have done the work; to hunt up the merest misprints and elaborately to represent them as errors; to abuse the writer for opinions with which they do not agree, but in which the author may be absolutely right and they themselves absolutely wrong; to read into his sentences a meaning which the context excludes; to pick holes in his style, which he cannot help or alter, since it is a part of himself, and, as Buffon said, *le style c'est de l'homme;* to attack him for *not* saying something which he did not even choose or intend to say; to overlook everything that he has achieved and taunt him with trivial defects in outlying corners in which he has failed; to adopt the stale dodge of reviewing the book out of the materials which itself suggests. They are tempted to the still easier tricks of picking out, and often of entirely misrepresenting, a phrase here and there; and of trying to label the author with an epigram or a nickname, which may be witty, but which they know will wound and injure him perhaps for years to come, though it be infamously unjustifiable. In all this their standard is selfish

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and contemptible; they follow suit with the poorest tendencies of the world. An eminent historian was once supposed to have said, "Perish India"; he never said it, but for years it served quite handily as a party missile. An eloquent Nonconformist minister was once supposed to have said that "the Church of England killed more than it cured." If he ever did say it, he regretted it; but, in the minds of many, all the good which he did in life was obliterated by his having that sentence repeated against him. A venerable and high-minded nobleman, when he was a very young man, published a book of poems in which there were two foolish lines. On those two lines the malice of the many settled down like fleshflies on a wound; they were quoted against him whenever his name turned up. Indeed, I have known critics—*ardelionum quædam natio, sibi molesta et aliis odiosissima:* the male Viviennes of society, consoling their own lack of worth by the supposed demerits of their betters—whose literary and conversational stock in trade consisted of musty old odd ends of malice, for the most part impertinent rather than witty, which they always paraded when any particular name was mentioned. I have seen the two lines to which I allude quoted half a century after they were written. They were once flung in the Duke of Rutland's face at an election, and many critics might learn from the spirit of his reply, that "he would rather be the youth who had written those two lines, foolish though they were, than the party man who tried to make capital out of them."

As for style, certainly if a critic thinks a writer's style bad, he can, if he likes, say so as little offensively as a gentleman and a good man should, not willfully misrepresenting its characteristics, nor picking out one or two sentences as though they fairly exhibited its general tenor. But no honest man who writes in the style natural to him, will be at all likely to alter it at the bidding of the critics; and the critics have showed themselves very poor judges of style, either in literature or art. As a general rule, an author of any merit or seriousness could not possibly do a more foolish thing than to take their advice. Turner was incomparably the greatest painter of his age, yet his style of art during the greater part of his life furnished a common joke to every scrib-

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bler, and fledged the callow wit of every criticaster. Carlyle's effect upon his age was produced in great measure by his style; yet his style was for some time denounced as a travesty of English which was perfectly intolerable. Mr. Ruskin is now almost universally regarded as the greatest living master of English prose; yet many critics at first received his style with unmeasured ridicule. When Mr. Browning published his first poem, "Pauline," some critic or other called him "verbose." Unfortunately—as he has told us—he paid too much attention to the remark, and in his desire to use no superfluous word, studied an elliptic concentration of style which told fatally against the ready intelligibility of "Sordello" and other later poems.

Surely the record of the past aberrations even of illustrious critics should teach every earnest man that he need not be afraid to hold his own. Dr. Johnson was looked up to as the literary dictator of his day, yet he said of the author of "An Elegy in a Country Churchyard": "Sir, he was dull in a new way, and that made many people call him great." And, shrewd as he was, Horace Walpole had nothing better to say of Dr. Johnson, in his turn, than that he was "a babbling old woman. Prejudice and bigotry and pride and presumption and arrogance are the hags that brew his ink." Of Horace Walpole, again, and of his play, "The Mysterious Mother," which Byron so extravagantly admired, Coleridge remarked that "no one with a spark of true manliness, of which Horace Walpole had none, could have written that most disgusting and detestable composition that ever came from the hand of man." Of Coleridge's "Ancient Mariner," even his friend Southey said: "It is the clumsiest attempt at German simplicity I ever saw." De Quincey was eloquent and learned, and he said of certain critics that he should like "to brain their mushroom heads with a fan," but he thought that "even Caliban in his drunkenness never shaped an idol more weak and hollow than modern Germany has set up for its worship in the person of Goethe." *

If a critic points out some real and removable defect in style, an author will be wise to take the hint; and it is not difficult to correct any mere mannerism, or trick of repetition, or fault of

* See "The Curiosities of Criticism," in "Fraser's Magazine," Jan., 1873.

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structure or of method. But the humblest writer will be ill-advised if, in deference to irresponsible chatter, he tries radically to change the mode of expression which, whether admirable or otherwise, is the natural result of his training and the normal outcome of his individuality. A man who is simple and honest should have sufficient self-confidence to dare to be himself. If his aims are high, if his books are found to be useful and dear to thousands, if he never writes except in the interests of morality, religion, and truth, let him go on and do his best, working while it is day, so long as his efforts obviously meet the needs, widen the knowledge, or elevate the aims of his brother men. If he feels annoyed by the attacks of critics, he has a sovereign and very simple remedy—let him leave them unread. But if he reads then, let him cultivate a certain healthy callosity regarding them. *Lascia dir le genti.* There is wisdom in the inscription over the Marischal College of Aberdeen, "Men haif said; quhat say they? Lat them say." It should be with a man's writing as with all the work of his life; let him do it faithfully, and let men prate and let fortune turn her wheel as she chooses. For much current criticism will always be contemptible. Says Mr. Ruskin:

> "The nobler passions are not merely disbelieved, but even the conception of them seems ludicrous to the impotent churl mind; so that—to take only so poor an instance of them as my own life—because I have passed it in almsgiving, not in fortune-hunting; because I have labored always for the honor of others, not my own; . . . because I loved a wood walk better than a London street, and would rather watch a seagull fly than shoot it, and rather hear a thrush sing than eat it; finally, because I never disobeyed my mother; because I have honored all women with solemn worship, and have been kind even to the unthankful and the evil; therefore the hacks of English art and literature wag their heads at me, and the poor wretch who pawns the dirty linen of his soul daily for a bottle of sour wine and a cigar, talks of the 'effeminate sentimentality of Ruskin.'"

I am not going to hunt up again the well-known follies which have so often been nailed like dead vermin on the door of criticism. Any one who chooses may see for himself how impotent the literary journalists have shown themselves to recognize genius, and how equally impotent they have been to check its recognition by fairer judges. We all know how Coleridge was abused like a pickpocket; how Shelley was almost goaded to madness;

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how the "Quarterly Review"* said that the poems of Keats had been received "with an all but universal roar of laughter," and how the young poet was brutally told to go "back to his gallipots"; how Jeffrey began his article on Wordsworth with "This will never do," and called his poems "a tissue of moral and devotional ravings." A man who is conscious of God-intrusted powers will defy and outlive such assaults.

Wordsworth did not trouble himself with the fact that he was treated as an imbecile; and *il y avait des gens assez bêtes pour trouver ça amusant.* He told those who loved him not to trouble themselves, since he knew well that his works were destined in time to co-operate with all beneficent tendencies, and "to add sunlight to daylight by making the happy happier." But the curiosities of criticism are not things of the past generation. Misjudgment and sneers have continued to greet works of genius. Some of us are old enough to remember how the most powerful journal of the period mixed up its criticism of one of the noblest and tenderest poems of the present day—"In Memoriam"—with sneers at "the Amaryllis of the Chancery bar"; and to recall the violent diatribes which were expended on the poem of "Maud." Mrs. Barrett Browning's "Aurora Leigh" lives by its intrinsic worth, though "foul words were used to blacken it, and stupid wickedness to strangle it." Mr. Browning was over and over again insulted and browbeaten by hosts of critics for fifty years. He himself told me how any recognition of him was probably retarded for twenty years by the sheer accident of one of his earlier poems being "reviewed" by the two words "pure balderdash"—or something to that effect—in place of an elaborate and appreciative essay on the poem by John Stuart Mill, which would have been inserted by the editor with equal readiness if the previous "review" had not appeared. Of course it would be a fatal mistake in *nous autres* if we took every sneering or hostile review as a testimony to the originality of our undiscovered greatness. The aim of my remark is quite different. It is twofold. It is to remind the critics once more that a truer estimate of themselves and of others might make them less ready to indulge in the mean and cheap amusement of being

* March, 1828.

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anonymously rude to authors who may have earned the gratitude of thousands, years before they were born, and who will be named with blessings years after they are forgotten. And it is on the other hand to assure authors who take attacks too seriously, that they have no reason to break their hearts because some malapert boy fresh from college, eager to make a reputation by abusing his elders, or some young lady with thirty books to review every week—or for the matter of that, some *vieux littérateur* who has grown gray in attempts to destroy nascent reputations—chooses to earn his or her few guineas by "writing them down 'ass.'" It is much wiser to take such impertinences with perfect equanimity. Our betters have done so. Buddha freely gave himself up to the famishing tiger, and authors need not begrudge themselves to the needs of smaller animals who may be equally hungry. To me it has happened not once or twice only, to receive the apologies and regrets of those who had tried to injure me in literary criticism, and who had been forgiven long before they asked forgiveness. Criticism, like everything else, will ultimately be taken for what it is worth. It is a thing of a day.

"Greater than I; is that your cry?
And men will live to see it.
Well, if it be so, so it is, you know;
And if it be so, so be it!"

And I say the same about opinions as I have said about style. If an author has deliberately and conscientiously adopted certain views, do not let him be daunted out of them by the anathemas of party opponents:

". . . *ihres Bellens lauter Schall*
Beweist nur, dass wir reiten."

The denunciation of books only because the reviewers or editors have taken a spite against the writer or his opinions, is a thing so common that most authors are well aware beforehand that in certain papers they are sure to be abused, and that from certain editors they have not the least chance of receiving the most ordinary courtesy or fairness. If a man's opinions be without rational basis, it is well for him and for the world that they should be refuted; but if they are well founded, no abuse should

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greatly trouble him. Prejudices and nicknames die hard, but the world comes round to him who waits. It is told of the late Dean Milman, that when, late in life, he was invited to preach before the University of Oxford, he at first intended to begin his sermon with words to this effect: "For thirty years or more my opinions have been attacked; my orthodoxy has been denied; my motives have been impugned; I have been represented on all sides as dangerous and unsound. I have not altered a single opinion; I have not withdrawn a single sentence; I have not modified a single phrase. And now I find that my views have become those of most competent scholars and thoughtful men, and I find myself invited to teach from the pulpit of the university the youth of another generation." The complaint of the learned Dean is another illustration of the fact that most reviewers succumb to the temptation of making themselves the measure of all men, and doing their work "from no higher standpoint than that of their own likes and dislikes." "It is not criticism," says a lively writer, "to tear to pieces every book by an opponent, and to smear with indiscriminate laudation every book by a friend."

The vices of contemporary criticism are numberless, and I shall not pretend to hunt them out. But I may advert to the common unfairness of judging an author without any reference to his real aims. A book is written for the minute examination of small details, and the author is called "deadly dull." Another book is written with almost exclusive reference to broad human interests, and it is called worthless because the author has been comparatively indifferent to unimportant and highly uncertain points of chronology or other minor technicalities. "You have only to apply a different standard from that of the author," says Goethe, "and he is sure to have failed." Very often the writer's statement of his own standpoint is ungenerously seized upon as indicating a favorable point of onslaught, so that far more frequently than is supposed by the uninitiated the reviewer's poisoned arrow is fledged with feathers from the author's preface. Books are written with very different objects, and are sometimes taunted, in course of time, with having been commonplace or ephemeral, when in point of fact they have only died of their

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own success. They have rendered themselves needless because the thoughts and views which they set forth have by their means passed into the hearts of thousands. No author need ever regret being superseded by the host of imitators who build on his foundations and mount by his ladder. And books which put forth no pretentious claims to be either exhaustive or absolutely original, do not therefore deserve the scorn which some lordly and beardless reviewer may choose to void upon them. They may be thrice blessed if they help to give currency to the coin of truth. All originality is relative. If it is going too far to say, with the thief in "Abou Mazar,"

> "One poet is another's plagiary,
> And he a third's, till they all end in Homer,"

yet there are but few authors who might not use the modest language of Charles Nodier: "*Presque tout ce que j'ai à dire a été dit ailleurs, a été dit autrement, a été dit mieux.*" Only one or two in a generation are really original; and those who are the medium of communicating to thousands the truths which would otherwise be beyond their reach, are rendering a substantial service to mankind, and a service which will receive its due reward of honest gratitude. Let them do their work as well as they can, and it will be sure to bear good fruit, whether they are censured or praised. Let them follow respecting it the advice which Schiller gave long ago: "*Werfe es schweigend in die unendliche Zeit.*"

F. W. Farrar.

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THE COINAGE OF SILVER.

THE projects now under consideration in Congress for the free coinage of silver, suggest inquiry as to the effect on the currency of the success of such a measure. Several bills have been introduced on this subject, most of which look to the free coinage of silver on the same terms with gold, and to a statutory declaration that in all respects the silver coin weighing $412\frac{1}{2}$ grains troy, and of standard fineness, shall be held of the same value as the gold coin weighing $25\frac{8}{10}$ grains troy, of standard fineness. Thus it is sought by legal enactment to affix to the commodity silver a price largely in excess of that which it commands in the world's markets.

The production of silver is a very large interest in some of the States, and those engaged in such production ask the United States government to interpose and aid in raising the price of a commodity which has been steadily falling for ten years or more. This fall in the price of silver, relatively to the price of gold, has been strictly in obedience to the law of supply and demand. The relative supply and demand of gold and silver are constantly fluctuating. In the nature of the case this must be so. The opening of the gold fields of California and Australia increased largely the supply of that metal in proportion to the demand, as compared with the relative demand and supply of silver at that time. The purchasing power of gold diminished proportionately. The enormous output of silver at a later date exactly reversed this, and its power in purchasing other commodities declined. Briefly expressed, this is the law: When an unusual supply of either metal, as compared with the other, appears, without a corresponding increase in the demand, the exchangeable value of such metal declines; when either metal is relatively in deficient supply, without decrease in demand, its price increases. This fact is no more and no less apparent in

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regard to gold and silver than in regard to wheat and cotton, or any other two commodities.

Under this law, the silver coins known in our currrency as "dollars" have been reduced in purchasing power to about seven tenths of that possessed by the gold coins known as dollars. The fact that in 1878 the United States government enacted by statute that the silver dollars should be legally equal to the gold dollars in all transactions between citizens of the United States, and in all payments by such citizens to the government, has in no way increased the purchasing power of the silver dollars in the channels of trade. In all transactions of commerce between citizens of the United States and those of foreign countries, these coins possess only such value as the amount of silver contained in them represents. In converting the values of the coins of one country into equal values in the coins of another, the only thing to be considered is the relative amount of pure gold or silver they contain. An English sovereign is said to be equal in value to about $\$4.86\frac{2}{3}$ of our money. If this $\$4.86\frac{2}{3}$ is in gold coin, the statement is correct; if it is in silver, it is by no means correct. On the contrary, while a New York merchant may cancel a debt of £100 in London by remitting $486.67 in gold coin, he must remit about 695 silver dollars to settle the account. Names are of no import in this transaction; values as they are fixed by the laws of trade, not by acts of Congress, are the elements relied on to make an equitable settlement. If the payment be made by exported merchandise, the result is the same, because the prices are determined on a gold basis. The prices of all imported commodities are fixed on this basis; and when such commodities come to the consumer, the prices paid for them must be adjusted in accordance with the intrinsic value of the currency in which the payment is made by him.

It will thus be seen that we have two distinct bases for our currency, of different intrinsic value. The gold dollar and the silver dollar are declared by statute to be equally the unit of value, and to be equally valuable; yet everybody knows that this is a fiction. Moreover, all experience shows that there cannot be, for any considerable length of time, a constant ratio between the exchangeable values of gold and silver. The statu-

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tory ratio is 1 to 16; that is to say, the law fixes the weight of a silver dollar at 16 times that of a gold dollar. The real ratio of their values in the world's commerce is about 1 to 23 at this time, and may be, five years hence, 1 to 30, for aught we know, or 1 to 12. In ancient Egypt the ruler fixed it at 1 to $2\frac{1}{2}$; throughout the East in the fifth century it varied from 1 to 6 to 1 to 8; in Greece, in the time of Plato and Xenophon, it was 1 to 10; in Europe, in the sixteenth century, it was 1 to 10, though at times 1 to 11 or 1 to 12; in the eighteenth century, in Europe, it became about 1 to 14, and in the earlier part of the present century it stood 1 to 15 or 1 to $15\frac{1}{2}$. These facts show the absolute impossibility of fixing by law a ratio which shall correspond continuously to that fixed by the law of supply and demand. The opening of new sources of supply of either metal, improved processes of separating the pure metal from the substances with which it is found, new uses for the one or the other creating a new demand — these and many other contingencies may change the ratio of the values of the two metals, as well as their respective values as compared with other commodities.

It follows logically, therefore, that gold and silver cannot equitably be employed *together* as a standard of value, except for those brief and rare periods when the ratio of their coin values coincides with the ratio of the market values of the two metals in the form of bullion. At all other periods one or the other will lose its character as money, and become a commodity merely, subject to the same laws as other commodities.

Ever since the Bland act went into operation, our currency has been gradually drifting on to a silver basis, and a continuance of our present policy must ere long drive out of circulation all our gold coin. The poorer always displaces the better currency. When United States treasury notes were worth less than par in gold, the latter went out of circulation. Our silver dollars are worth less than par in gold, and it needs no prophet to foresee the disappearance of the gold coin from our currency. The treasury notes were for years an irredeemable currency; and notwithstanding the fact that their maker was a great, powerful, wealthy, and honorable nation, they were discredited, because they were not money, but only promises to pay money. The

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silver dollars have not even this advantage. They bear no promise of the government to pay their nominal value in money. They are evidence in themselves that they are not what the law declares them to be, that is, equal in value to gold dollars. The treasury notes, though irredeemable at the moment, gave assurance that they would be redeemed ultimately in the amount expressed on their face. The silver dollar holds out no hope that it will ever be redeemed at what the law declares to be its nominal value. At present it is redeemable at about 70 per cent; next year it may be worth 50 per cent. The director of the mint is authority for the statement that the price of silver has declined 20 per cent. since 1878. If the next twelve years should show an equal decline, the Bland dollar should then be worth 56 cents.

But it is alleged by the advocates of free coinage of silver dollars of the present weight and fineness, that the price of silver will be raised; that a piece of silver weighing 412½ grains, of standard fineness, when it shall have received a certain impression at the United States mint, will be worth one dollar, though without such impression it is worth only about seventy cents. Since the Bland act went into operation, in 1878, the United States mint has put that impression on about three hundred and fifty millions of such pieces of silver, and yet their value today is much less than it was in that year. The reason is manifest. The stock of silver on hand, as compared with the demand for it, has increased relatively to the stock of gold on hand, as compared with the demand for gold. The fact that the stock of silver on hand is in the form of coins or of ingots; the fact that it is in the possession of individuals, banks, or the United States treasury—these are powerless to change its market value so long as it is accessible to any demand that may be made for it. The silver which is piled up in the treasury vaults, whether represented by certificates of deposit or not, is just as much in the market as if it were held in the purses of the people.

It is in circulation when represented by outstanding certificates of deposit. Though locked up in the treasury and not represented by outstanding certificates of deposit, it can be drawn out at any time by those having other forms of currency. Coinage, therefore, does not withdraw silver from the market,

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and consequently is powerless to raise its price. Whoever expects that free coinage will materially affect the value of the product of the siver mines of the country, will be disappointed. But so soon as the United States government shall adopt the policy of taking silver bullion and coining silver dollars therefrom, free of charge, the pace at which our gold coins leave the circulation will be accelerated, and our entire currency will soon consist of silver and its representatives.

Much has been said concerning the demonetization of silver by the coinage act of 1873. The truth is that the only silver coinage in use in 1873, and for many years before, in the United States, was the subsidiary coinage. The silver dollars had disappeared because their nominal value as coins was less than their value as bullion. They left the circulation for the same reason that gold coins are now leaving it—because they were then the better, and the gold coins were the poorer, currency. Their demonetization was an accomplished fact when the coinage act of 1873 was passed. The entire coinage of silver dollars from the foundation of the government till 1878, had been but $8,045,000. The outcry against the demonetization of silver did not begin till the price of that metal had so fallen that 412½ grains of standard silver were worth less in the market than a dollar. Then debtors began to perceive that it would be advantageous to them to pay in coins called dollars, but of less market value, debts contracted in real dollars. Then they clamored for the remonetization of silver, and that clamor, aided by the fancied interests of the producers of silver bullion, brought forth the Bland act.

In 1873, and for many years before, the word dollar had a definite and well-understood meaning, and that meaning it bore in every contract in which it was used. That meaning was not "the value of 412½ grains of silver of standard fineness." That quantity of silver in coin form existed then only in the cabinets of coin-collectors. It formed no part of the currency of the country. The meaning of the word dollar in all contracts, in every treasury note, in every national-bank note, was "a value equal to that of $25\frac{8}{10}$ grains of gold of standard fineness." Nothing occurred between 1873 and 1878 to change the signification of

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the word. By the Bland act Congress decided to change it. Had Mr. Bland proposed to diminish the weight of the gold coins of the United States; had he proposed to reduce the gold dollar and the other gold coins by three tenths of their standard weight, and to declare that such reduced coins should be able to discharge the same amount of debt as before their reduction in weight, the moral sense of the American people would have been so shocked that the proposition would have met ignominious defeat. It would have been an act on the part of the government of precisely the same character as the "clipping" or "sweating" of coins by individual criminals. Despotic rulers in semi-barbarous times have often done this to make the burden of their debts lighter. By the common consent of the civilized world, now that better morals prevail, such a practice would condemn to infamy the sovereign or the people that should repeat it.

Yet the result which would have been attained by lessening the quantity of gold in the gold coins, was as effectually secured in an indirect way. The silver coin containing $412\frac{1}{2}$ grains of standard silver was endowed by law with all the attributes then possessed by the gold dollar of $25\frac{8}{10}$ grains of standard gold, though it was well known that the former was of less intrinsic or purchasing value than the latter. The signification of the word dollar thereby became ambiguous, and has varied from that time to this almost from day to day.

Had the purpose of the advocates of the Bland act been simply to restore to the currency the metal silver, the obviously equitable scheme for the time being would have been to make a silver coin containing such a weight of that metal as would equal in purchasing power the gold dollar. This would, for the moment, have provided an honest dollar; but for the moment only, because no assurance could be had that the ratio of values of the two metals fixed by statute would continue for a single month to be the ratio of their values in the markets. Had the promoters of the Bland act endeavored to provide such an honest dollar for the time, that would have indicated at least a purpose to deal fairly with citizens, both in their mutual relations and in their relations to the government.

If great interests are to be subserved by the use of silver as

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well as gold in the currency, in the name of common honesty let the ratio of coin values be readjusted; and though it may be impossible to adjust them with precision, an approximation to an equitable adjustment may be attained by taking an average of the ratio of the values of gold and silver bullion for a series of years, and establishing that average ratio as the statutory one till the course of events shall require another adjustment. That this plan has great inconveniences, is admitted. No plan which uses the two metals is exempt from difficulties. The simplest plan, and the one which most thoroughly attains substantial justice, is the use of one metal, whether it be silver or gold. Experience has shown that gold possesses in most respects the greater number of requisites for a measure of value and for coin material, save in cases where the values are so small that the gold coin representing them would be inconvenient in use, as in our fractions of a dollar. Here silver is in use, and properly so; but no attempts are made to have the coins intrinsically worth the sum for which they are counted. The subsidiary coins are mere counters.

It may be said that, admitting the constant change in the ratio of the values of gold and silver, it is equally true that the power of either metal to purchase other commodities is subject to change. So it is. But the labor required to bring forth from the earth a pound of pure gold is probably, in a long series of years, as nearly a constant quantity as the labor required on the average to produce any other given commodity. In other words, the cost of production and purchasing power of gold are as nearly constant as the cost of production and purchasing power of any known substance which possesses the requisites for a circulating medium and a standard of value.

The evidence that the general purchasing power of gold has materially increased since the weight of our gold coins was fixed, is by no means clear. That an ounce of gold can now be exchanged for a larger quantity of some commodities, is true; but it will probably be found that the reason for this is the decreased cost of production of those commodities. Vast areas, formerly uninhabited, now opened to tillage; their wonderful fertility; the introduction of labor-saving machinery in cultivation; improved methods in every branch of agriculture, saving much that was

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formerly wasted—these and many other causes have reduced the cost of production, while transportation to market has been cheapened in even a greater degree. But of that one commodity which all have to sell, namely, labor, gold will buy less than when the weights of the gold coins were fixed.

If it were shown that the gold dollar has now a purchasing power generally largely in excess of what it had when its weight was fixed, and that thus the intent of contracts made before such increase was materially changed, there might appear to be a plausible pretext for diminishing the weight of the coin, and providing a silver dollar of corresponding value. It is doubtful, however, whether any gain in equity by such a measure would counterbalance the evils it would produce. Absolute justice is unattainable in human affairs; but the palpable injustice wrought by the existence of one set of dollars worth thirty per cent. less than another set, and yet legally declared to be equal, might easily have been avoided by the exercise of a sounder judgment, and by a stern exaction of conformity, on the part of the law, to a higher moral standard.

FREDERICK A. SAWYER.

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BIBLE INSTRUCTION IN COLLEGES.

THAT many whose experience testifies to the ennobling influence of the Bible should regret its partial exclusion from our public schools, is not surprising. In many instances the use made of it may very likely have been such as to justify a demand on the part of some citizens that our accepted principle of separation between church and state should be applied in the public schools in this matter of Bible-reading. For the sake of eliminating an ecclesiastical or sectarian use of the Scriptures, it may have been necessary to sacrifice, or rather to relegate to the ecclesiastical and parental sphere, a use which all admit to be important and beneficial. No considerable part of the people, however, will be disposed to deny that the loss of the non-dogmatic, ethical, and spiritual use of the Scriptures in public education, if unavoidable, is nevertheless to be regretted.

It is perhaps a matter for surprise that we should not long ago have perceived that the return of the Scriptures to their legitimate place in public education must be made by way of the universities. But now that a well-endowed chair of biblical science has been established at Yale, it is most earnestly to be hoped that the example will be followed by the leading universities of the country; and if the friends of the Bible in public schools do not welcome this new departure in the colleges as a movement of profound and encouraging significance, it must be for the reason that they are not so much in earnest for the restoration of the Scriptures to their right and proper use in education, as they are for the perpetuation of the possible if not actual evils which in a measure justify the exclusion of the Scriptures altogether as a school reading book.

For it is not the Bible in the sense that the average Sunday-school teacher, and doubtless many a public-school teacher, gives to the word, that will be taught in these university chairs; it is "biblical science," or the application of the ordinary and ac-

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cepted processes of logical reasoning to Hebrew literature as we have it in the Old and New Testaments. In itself this science is no more and no less religious than any other science; but its subject matter, Hebrew and Hellenistic thought, constitutes, to a greater extent even than the Roman and Greek, the foundation of modern culture. In themselves, the sciences of biblical literature, of the critical history of Israel, and of the development of Hebræo-Christian religious thought, are no more ecclesiastical, dogmatic, or sectarian than the critical history of classical antiquity, of Greek and Roman literature, and of the development of philosophy, art, and jurisprudence; but whereas it is only in specially-cultivated circles that the man of academic education will find full use for his knowledge of the latter field, there is absolutely no circle of intelligent society to which a scientific mastery of the former is not a matter of the profoundest interest. In spite of the laborious efforts of teachers, tutors, and professors during some ten years of boyhood and youth, the average B.A., ten years after graduation, is densely ignorant of Greek and Latin literature and institutions, and willingly testifies that this ignorance gives him no practical inconvenience. His ignorance of Palestinian literature and history is not quite so great, although his university training has done absolutely nothing to enlighten it; but his deficiency here gives him far more real inconvenience than his inability to appreciate Homer, Plato, Sophocles, Cicero, or Lucretius.

The scientific study of biblical literature and of the development of Hebrew and Christian religious thought, may be in itself no more religious than the study of Sanskrit literature and the criticism of the Rigveda; but as a science it has received the attention of a vastly greater number of minds of the first order, and stands upon a much surer and more exactly-determined foundation. Every day it opens out into wider fields of archæological discovery; it connects us with, and puts us more completely in command of, the enormous gift made to modern civilization and culture by the Semitic race. For all these reasons, it is simply astounding that the academic curriculum even of our great Christian and Puritan universities, founded mainly for the training of ministers, should have hitherto ignored the claims of

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the science of biblical literature and critical history to form a part of the training of every cultivated man. It can be explained only by the expectation that parental and ecclesiastical training would supply this deficiency. But family and ecclesiastical instruction will and must contain little or nothing of the *science* which the university should teach; while, on the other hand, the university course, in the nature of the case, will contain little or nothing of the didactic, dogmatic, and (to use a technical term) "paræenetic" or moralizing tone of the Sunday school and pulpit. It is as a science, the logical and orderly classification of data, that biblical literature and history will and should be taught in the universities. As such it simply stands on a par with other sciences. In its method it is neither more nor less religious than they. It is its subject matter which is, more than that of any other science, indispensable to the maturing of an ideal manhood. This subject matter may be defined as the development of the religious consciousness of the Hebrews as effected in their history and exhibited in their literature, New Testament literature being of course included. This development we may fairly call a divine revelation. To have some rational and scientific conception of the process and history from which the religious and spiritual consciousness of Christendom has issued, would seem to be essential to the training of every man of culture, while the study itself is no less fitted to stimulate the spiritual and moral faculties than the study of the history of philosophy to stimulate the reflective and critical faculties. We judge, therefore, that it must soon become as much a recognized part of the ordinary university curriculum as the study of classical history and literature, and with results to spiritual and moral growth in the student which will be all the more profoundly beneficial that they are incidental.

Nevertheless, we must perhaps expect to meet an obstinate opposition to this kind of study. On the one side will be those who oppose such instruction *in toto*—extreme secularists and extreme conservatives; on the other will be those who are disappointed either because the instruction given is not flatly materialistic and anti-supernaturalistic, or because it is not boldly doctrinal, catechetic, homiletic. Thus the two wings of the op-

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position will be, first, those who would have science warned off from the ground of revelation, and, secondly, those who under the guise of "scientific" would introduce partisan teaching, or transform the lecture room into a Sunday school.

Doubtless the most determined opposition will come from pseudorthodoxy, or "orthodoxism," as it has recently been called. The application of the scientific method to the data of revelation cannot fail to be obnoxious to minds incapable of modifying an inherited theory. To classify in logical order the content of biblical literature and deduce an *a posteriori* history of the development of the Hebrew religious consciousness, is to conceive of revelation rationally; but to many minds discrimination between rational and rationalistic will be impossible. For them there is no virtue in belief when belief has become easy. Faith that can be "counted for righteousness," for them must be like that of Tertullian, a *credo quia impossibile*. Fifty years ago, Dr. Edward Robinson, exploring the northern extremity of the Gulf of Suez, observed a shoal which to his mind might easily have been uncovered by a strong east wind, and thus have given passage to Moses and Israel fleeing before Pharaoh. Lord Nugent, a later traveler, of the Tertullianesque type of mind, deplored what he termed the "rationalism" of Dr. Robinson in making the miracle of the Red Sea so easy that even a skeptic might believe it. *À propos* of this, Dr. Leonard Bacon related at a public meeting the anecdote of a farmer accustomed to sharpen his razor on his boot sole. A knife-grinder passing through the neighborhood offered to put a razor edge on the instrument, and did so. On the next Sunday morning an exclamation of disappointment broke from the soapy lips of the farmer as the razor reaped the stubby harvest of his chin. "Why, I don't feel it at all!" said he, and fell to stropping it again on the sole of his boot. Then, as the razor took hold with the long-accustomed grip and pull, "Ah," he remarked, "now I feel it; now it cuts something like a razor."

There is a school of orthodoxism which thinks it has no faith unless it can feel it pull. The men of this school object, not without cause, to the intelligent study of the Bible as being hurtful to faith; for one effect of such study is to give faith a better

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edge. To take a well-known instance: the story of the arrest of sun and moon at the command of Joshua is clearly recognized as a quotation from a collection of poems called the "Book of Jashar," for the historic veracity of which neither the author of Joshua nor the church undertakes to vouch. This is only one example out of many, of the effect which a rational study of the Bible will often have. In like manner, a truer translation removes in the Revised Version the miracle of the spring bursting from Samson's "jawbone of an ass." With a rational treatment of the Bible, faith tends, it must be confessed, to lose its pull. Those whose belief in these miracles afforded them satisfaction as a kind of *immolatio rationis*, have our profound sympathy that this their mortification of the spirit should have proved needless; but while we persistently refuse to follow that rationalism which sets out with the assumption that all phenomena of sacred history are somehow or other, by hook or by crook (oftenest by the latter), to be brought within the sphere of natural laws already known to science, we cannot but rejoice that it is the unmistakable tendency of biblical science to make faith easy.

For the science of biblical history and criticism is not still waiting to be formed. The critical history of Israel is an older science, more thoroughly studied out, more completely equipped, than the critical history of Greece or Rome. If it were something new and untried to apply the processes of literary and historical criticism to the subject matter of revelation, there might be some excuse for still delaying the introduction of so novel a science, however important, into the curriculum of our colleges. But this is far from being the case. For more than a century many of the greatest minds of Europe have been directed to the problems of Hebrew literature and history—an Ewald, a Gesenius, a De Wette, not to speak of living writers and teachers. True, it is, like almost all theological science and a very large part of other science, principally developed in Germany; but the very fact that the "higher criticism," under which head may be included a great part of the teachings of biblical science, is to so many both of the learned and unlearned practically *terra incognita*, is itself a forcible illustration of that unreasonable prejudice against the application of the scientific method to the data of

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revelation which has resisted, and doubtless will continue to resist, all attempts to introduce any study of the Scriptures independent of the catechetic and homiletic.

Up to the present time, the great body of scientific discovery in this field has been a sealed book to the average man of culture and intelligence—a book sealed not so much by neglect as by prejudice and unreasonable fear. The literature of this labor, research, and discussion fills shelf after shelf of some libraries, though conspicuously absent from others. It would surely be strange if in all this there were nothing worthy to be included in a science of revelation. But very few of these works are translated, and aside from an exceedingly small but rapidly-increasing number of specialists, their contents are unknown even to the clergy. It is probably no exaggeration to say that not one college graduate in a thousand has any knowledge at first hand of what criticism has done to unveil the method and process of revelation. If any history is profoundly important to our civilization, it is the history of the moral and religious ideas we have inherited from Semitic sources; and upon this history the critical study of biblical literature has thrown a flood of light. Still even professors in theological seminaries confess their ignorance of the higher criticism, or endeavor to conceal it by making a show of second-hand information derived from controversial reviews and meager translations. The whole subject, vitally important to science as it confessedly is, is

"as the words of a book that is sealed, which men deliver to one that is learned, saying, Read this, I pray thee: and he saith, I cannot; for it is sealed: and the book is delivered to him that is not learned, saying, Read this, I pray thee: and he saith, I am not learned." *

But the days of this ignorance are numbered. It is no longer to be considered a liberal education to train a man thoroughly in the results of critical research in the literature and history of classical antiquity, and to leave it to the Sunday school to inform him as to the results of similar research in the literature and history of Semitic antiquity. It is no longer to be considered sufficient to give him an insight into the development of the institutions and ideas we derive from Greece and Rome pertaining to

* Isaiah, xxix. 11, 12.

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the civil, social, and intellectual capacities of man, and to ignore the legacy of ideas and institutions pertaining to his moral and spiritual nature which we derive from Palestine. The time has passed wherein the conceptions of a man of culture as to the progress of the human mind in things moral and religious can be left entirely to chance, or to merely *a priori* reasoning. Hitherto the ideas of a student in regard to revelation in its method and progress have been left to be formed by Col. Ingersoll or by the Sunday-school teacher, according as he was piously or skeptically inclined. In all other branches of human development he was supposed to be led to the sources of current ideas, and taught to trace their development and history by the scientific method; nor was the tracing of their gradual growth supposed to exclude or in any way to interfere with a sincere conviction that these also were taught of God, that

> "There is a spirit in man,
> And the inspiration of the Almighty giveth him understanding." *

But when man's progress in moral and religious ideas was considered, especially as these are illustrated in the history and literature of that people whose genius is as unmistakable in things moral and religious as that of Greece in art and philosophy or of Rome in jurisprudence, he was left purely to his own imagination, or to the chance instruction of some would-be teacher, ignorant and superstitious but dogmatic, or anti-Christian and materialistic but equally dogmatic, as the case might be. It may have been a fear that any conception of a gradual development of these religious and moral ideas, "line upon line and precept upon precept, here a little and there a little," would exclude or interfere with a conviction that these truths were taught of God, that fenced off this field of scientific research from the feet of the student; it may have been a natural timidity about exposing truths so profoundly felt, yet so delicate, to the handling of science; it may have been pure neglect and ignorance. But whatever the reason, the fact, the condition, exists, and is undeniable. It exists, but is to be remedied; the ignorance is no longer to be winked at. There is to be a study of our moral and religious ideas historically, objectively, scientifically considered.

* Job, xxxii. 8.

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The Bible enters the university curriculum as the subject matter of a study as purely scientific as the study of Homer and the early Greek history, and as much more important as the influence of the Scriptures upon the development of the modern man, intellectual, social, and moral, has been more profound and permanent. It is this recognition in the university which will give to the Bible its best title to reintroduction into public schools and educational institutions generally. Historically, objectively, scientifically treated, it will prove itself an essential factor in the preparation of the citizen, but especially of the man of culture, to play his part in the midst of institutions and ideas derived from it. Assuredly its value for the stimulation and direction of a godly life and the formation of Christian character will not be diminished if it becomes the chief witness for a scientific analysis of that progress of moral and religious ideas which has been going on in all the world under divine guidance, but is most marked in Hebrew prophetism and at the period when Semitic and Hellenic thought came into conjunction.

The facts of sacred history are admittedly a part of universal history, whose importance is measured by their decisive influence upon the career of man. Both theologian and scientist should unite, therefore, in demanding that they be treated by the same critical methods as all other facts within the domain of science. What they need for the best fulfillment of their purpose as historical facts, is the application of the scientific method. Who does not know the loss we experience from the fact that in the general comprehension the events of sacred history now stand by themselves, unconnected with secular history? The inferences to be deduced from them, for example as to the relation of the divine to the human spirit, and the light they throw upon problems of religious importance, are quite another matter, the affair of the religious instructor. The work of the pastor and religious guide may be, will be, greatly facilitated by the preliminary establishment, by the scientific historian, of the facts from which he reasons, unless indeed he be building upon facts which an unprejudiced science shall show to be no facts. But this religious instruction cannot supersede the scientific teaching which forms its natural basis.

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The Bible as it is taught in Sunday schools and pulpits is not suitable for introduction to public schools nor for the academic curriculum. The Bible as it will be taught from university chairs by teachers like Prof. W. R. Harper, of New Haven, will be discovered to be a science neither for nor against any particular religious faith, but, like all other sciences, running parallel to religious teaching. That there is abundant room for instruction in biblical science, over and above the doctrinal and catechetic teaching of religious instructors, in all our educational institutions, should be sufficiently manifest. That the instruction in this *quasi*-secular science, which, however nearly related, is yet independent of the work of parent, Sunday school, and pastor, will strongly tend to commend and promote this latter wherein it is really worthy and commendable, there is every reason to hope.

BENJAMIN WISNER BACON

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JURY VERDICTS BY MAJORITY VOTE.

ALL English-speaking people justly boast of the institution of trial by jury as the palladium of their civil rights, and it certainly is, in theory, an excellent method of arriving at the truth in legal contentions; but in practice it often results in a burlesque of justice, in unjust convictions, or in the protection of crime. What are the practical defects that so materially affect its theoretical usefulness and so frequently render it an impediment to the attainment of justice? The question is one of supreme importance, one which concerns every lover of free institutions; for unless we discover those defects and find appropriate remedies for them, there is great danger that the already widespread dissatisfaction with trials by jury will assume more threatening proportions, and that the institution, even now the subject of scorn and derision in many quarters, will eventually fall under popular condemnation.

The method of making up jury lists, though recently somewhat reformed in several States, is far from satisfactory. The jurors are much below that standard of intelligence which the nature of many of the cases submitted to them seems to require. The practice of summoning talesmen by special venire is vicious in itself, and a powerful aid to those who practice the art of jury-packing. The rules regarding competency for jury service, and especially those disqualifying persons who have formed or expressed an opinion based upon information other than original evidence, are, in these times of rapid dissemination of news, an absurd anachronism, a disgrace to the civilization of the country.

I might mention other faults of the system, perhaps equally significant; but the one considered in the following pages—the requirement of unanimity—seems to me to deserve special attention, because if this be remedied, all the rest will lose in a great measure their power for mischief. Another reason why it should command special attention is the fact that, in most of the States,

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this feature of jury trials cannot be abolished except by an amendment of the State Constitution, approved by popular vote, while all other vices of the present system are remediable by acts of the Legislature.

One of the strongest arguments commonly advanced in favor of the rule is its ancientry; the judicial wisdom and the legislative policy of five centuries ago are cited as reasons for its retention. Surely in no other department of human action, intellectual, moral, political, or industrial, is the march of progress so slow as in the field of law. Would anybody dream of citing the views of philosophers, political economists, or masters of statecraft, or of writers on chemistry, astronomy, physics, or technology, of five hundred years ago, as authorities upon these various subjects? As regards our rules of law and our legal institutions, however, we go back to the middle ages for ideals and authorities, and the very antiquity of a principle of law is held to be a strong argument for its wisdom and correctness. Thus, while all the rest of the world is moving onward, the law and the lawyers are hemmed about by a wall of musty and rusty precedents.

Be that as it may, an examination of the historical background of the rule of unanimity shows that originally the verdict of juries was not required to be unanimous. In Ethelred's laws we find this provision:

"Let doom stand where [the twelve senior] thanes are of one voice; if they disagree, let that stand which eight of them say, and let those who are there outvoted pay each of them six half marks."*

It should not be forgotten that originally the jurors were not what they are to-day, but witnesses cognizant of the facts which formed the basis of the action. This is the reason why the jurors had to come from the locality where the cause of action arose. It is true that at an early date the concurrence of twelve men was required for a verdict; but where the original twelve could not agree, those who were dissentient from the majority were supplanted by others by a process called *affortiatio*,† that is, by put-

*Thorpe, "Ancient Laws and Institutes of England." London, 1840. Vol. i., p. 299.

†Bracton, in his "*De Legibus et Consuetudinibus Angliæ*," Book 4, Chap. 19, gives an interesting account of this process.

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ting new members in the place of the minority, until there were twelve men who concurred in one opinion.

It was only in the fourteenth century that this practice was superseded by the requirement of unanimity on the part of the original twelve, as a more convenient and expeditious process, so as to save the necessity of having the evidence repeated over again by the witnesses to the additional jurymen. It was believed that, where a majority of the jurors related their own knowledge of a state of facts, and the minority did not agree with them, such minority was willfully disregarding the truth; hence the jury were forced to agree unanimously on their verdict, and effective means of compelling them to agree were soon devised. The jurors were locked up without meat, drink, light, or fire, until they were unanimous. The verdict, however, was sometimes taken from eleven, and the refractory juryman committed to prison, until this practice was declared illegal by a decision of the Court of Common Pleas, in the forty-first year of the reign of Edward III. Thenceforth it became the law, as stated by Blackstone,* that

"if the jurors do not agree in their verdict before the judges are about to leave the town, though they are not to be frightened or imprisoned, the judges are not bound to wait for them, but may carry them around the circuit from town to town in a cart."

Without going into further details, it may safely be stated that the requirement of unanimity grew out of the anomaly of having the functions of jurors and witnesses united in the same persons. It was tacitly retained even after the jurors had become judges of facts who should have no previous knowledge of the evidence. The rule, however, has been so far relaxed that where, after the lapse of a reasonable time for deliberation, it appears that the jury cannot agree, they are discharged, and the cause is tried again; also that it is nowadays left to the discretion of the trial judge to allow jurors such refreshment as will keep them from starvation.

The propriety of the rule of unanimity, even in this modified form of enforcement, has been a subject of grave doubt for more than a century. Emlyn, as early as 1730, in his preface to the

* "Commentaries," Book 3, p. 376.

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second edition of Howell's "State Trials," makes an eloquent appeal for the abolition of the rule. Hallam, in the supplemental notes to his "Middle Ages," designates it "a preposterous relic of barbarism." The English common-law commissioners of 1831 condemn the rule in very positive language, and propose that the jury shall not be kept in deliberation longer than twelve hours, unless at the end of that period they unanimously agree to apply for further time; and that at the expiration of twelve hours, or of such prolonged time for deliberation, if nine of them concur in a verdict, it shall be taken. Dr. Francis Lieber, in his "Civil Liberty and Self-government," and more particularly in an article in the "American Law Register" for 1867, is outspoken in his condemnation of the practice of requiring unanimous verdicts. Bentham, in his "Essay on the Art of Packing Juries," says it could not have been the work of calm reflection, working by the light of experience, and calls it "no less extraordinary than barbarous." Judge Cooley, in his edition of Blackstone, characterizes it as "repugnant to all experience of human conduct, passions, and understandings," and further says that "it could hardly in any age have been introduced into practice by a deliberate act of the legislature." Ex-Governor Koerner, of Illinois, calls it "the illogical unanimity system, which has become a great source of corruption and consequent denial of justice." In 1876, Governor Carpenter, of Iowa, in a message to the Legislature of that State, called it "an antique absurdity which has too long fettered the administration of justice." In the same year, a committee of the Wisconsin Legislature reported in favor of submitting to the people of that State a constitutional amendment empowering a less number than twelve to return a verdict. These few, selected from innumerable similar expressions, will suffice to give an idea of the development and strength of the opposition to the iron rule of unanimity.

In this connection it might not be uninteresting to cast a glance at the laws of other countries. In Scotland trial by jury in criminal cases is an indigenous institution. The jury consists of fifteen, a simple majority of whom decides. In civil cases, trial by jury of twelve men has been introduced in Scotland, by acts of the British Parliament, in comparatively modern times,

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and originally the verdict was required to be unanimous in such cases. This latter requirement created so much dissatisfaction, that in 1854 it had to be abolished by a law which provided that, after six hours of deliberation, a verdict might be taken from three fourths of the jury.*

The Code of Criminal Procedure for British India, of 1882, provides as follows:

"If the jury are not unanimous, the judge may require them to retire for further deliberation. After such a period as the judge considers reasonable, the jury may deliver their verdict, although they are not unanimous."† "When in a case tried before a high court the jury are unanimous in their opinion, or *when as many as six are of the same opinion*, and the judge agrees with them, the judge shall give judgment in accordance with such opinion."‡

By the Code of the Bahama Islands, passed April 19, 1848,§ it is provided that in all criminal cases other than capital, and in all civil cases, a valid verdict may be returned by two thirds of the jury.

In most countries of the European continent trial by jury is known only in criminal cases. The jury does not find a general verdict, but simply answers questions formulated by the court, with reference to the guilt of the prisoner and the existence of aggravating or mitigating circumstances. The jurors, after full deliberation, vote upon each question separately, by depositing a ballot of "yes" or "no." Only one ballot is taken upon each question. For a decision adverse to the defendant upon the principal question of guilt, and upon questions with reference to the existence of aggravating circumstances, a simple majority is necessary and sufficient in France,‖ Italy,¶ and Germany.** In Austria at least eight votes are required and sufficient for conviction, and for an affirmative answer as to the existence of aggravating circumstances.†† I have had no access to the codes of

* 17 and 18 Vic., c. 59.
† Section 302.
‡ Section 305.
§ 11 Vic., c. 21.
‖ *Code d'Instruction Criminelle*, Art. 347, as amended by *Loi du* 10 *Juin*, 1853; see also *Loi du* 13 *Mai*, 1836.
¶ *Codice di Procedura Penale*, Arts. 503, 504, 505.
** *Strafprocessordnung für das Deutsche Reich*, §§ 305, 307.
†† *Strafprocessordnung vom* 23 *Mai*, 1873, §§ 328, 329.

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the smaller European countries in which the institution of trial by jury exists; but it is a fact that there is not a single country anywhere, except England and the United States of America, in which the verdict of the jury is required to be unanimous.

So far as the United States are concerned, there are three States in which, in civil actions, a three-fourths majority is sufficient for a valid verdict. The respective provisions may be found in the Constitution of California of 1879,* the Constitution of Nevada,† and the Constitution of Texas of 1876.‡ In the latter State the same section of the Constitution provides that the verdict of a three-fourth majority shall also be valid in trials of criminal cases below the grade of felony. In Connecticut it is provided by the Revised Laws of 1887,§ that a legal verdict may be rendered by any number of jurors not less than nine, in any civil case in which the parties shall agree in writing, before the rendition of such a verdict, that such portion of the jury may render it. Thus we find that even some States of the Union have departed from the rule of unanimity.

Let us now consider the arguments, outside of that of ancientry, advanced by the defenders of the requirement of unanimity, and examine what strength of reason they possess. The concurrent opinion of twelve men, say they, is, by the doctrine of chance and probability, more likely to be correct than that of nine. True enough. But if we once enter the field of probabilities, then it must, *a fortiori*, be true that the verdict of nine or ten men is more likely to be correct than that of a minority of three or two; in other words, that it is senseless to allow the opposition of a small minority to override the judgment of a large majority.

It is further said that, as a necessary consequence of the present rule, each member of the jury, knowing that his individual concurrence in the verdict will be exacted, becomes impressed with a sense of his own responsibility in the matter before him, and the imperative necessity of giving to it his undivided attention and the utmost powers of his mind. This is a very beautiful sentiment; but, after all, does not the oath taken by the juror, if he is at all conscientious, impress him with the

* Art. 1, Sec. 7.
† Art. 1, Sec. 3.
‡ Art. 5, Sec. 13.
§ Section 1,103.

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same sense of his important duty? Moreover, under the present system jurors often deposit ballots contrary to their conviction, only for the purpose of "drawing out" other jurors; the voting is often repeated over and over again, and each juror knows that his individual vote will not be conclusive unless perchance all the other eleven shall happen to agree with him. Even then he can change his vote at any time before it is recorded in court. Where in all this is the careful weighing by the juror of all the arguments for or against conviction before determining his vote? On the other hand, his sense of the grave responsibility resting upon him will and must be intensified, if he understands that his one and only vote, as under the system of continental Europe, cannot be changed at pleasure, but will finally and absolutely decide the fate of the parties to the suit.

It is also claimed that the rule of unanimity secures a full, free, and effective discussion and deliberation of the case by the jurymen. But experience teaches that in most cases the jurors' minds are finally made up before they retire for deliberation. The juror who does not leave the jury box with a strong opinion one way or the other, is a weak-minded creature, who will vote with the majority every time, and whose judgment is therefore of little account. That one or two jurors should be able to bring about a real change in the opinion of the majority, is probably a case of the rarest occurrence, though they might, by persistency and superior powers of endurance, succeed in tiring the majority into submission against their conviction. If, on the other hand, the minority yield, it is perhaps because they have become convinced of the soundness of the judgment of the majority—which would simply prove its correctness; or their submission is due, not so much to deliberation, as to intimidation, exhaustion, weak-mindedness, or fear of censure, in which case their enforced concurrence adds little weight to the verdict of the majority.

Whatever value there is in prolonged discussion and deliberation, might be insured by a law allowing the reception of a verdict of less than the whole twelve after it appears that the jury have made an honest effort to agree unanimously and have failed. A communication of ex-Governor Koerner, of Illi-

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nois, to the Chicago "Legal News" of February 8, 1869, contains a valuable suggestion on this head:

> "A verdict returned within six hours should be unanimous and signed by every juryman; after that time and within six hours thereafter, a verdict signed by eleven jurors may be given; after twelve hours and within six hours thereafter, one signed by ten; after eighteen hours and within six hours thereafter, one signed by nine; and after twenty-four hours, one signed by eight may be returned."

Some such course would certainly insure the fullest, freest, and most effective discussion and deliberation of the case by the jury.

The friends of unanimity further argue that the confidence engendered in the public mind in the decisions of a tribunal which speaks with an undivided voice, is so great a benefit that it should not be given up. Against this argument I desire to array the records of experience. Whenever, in a case attracting public attention, the jury disagrees or returns a verdict which bears upon its face the evidence of a compromise, public opinion becomes enraged at the stubbornness, crankiness, corruption, or thick-headedness of the one or two jurors who would set up their opinions against the judgment of the majority.

Let us now turn our attention to the arguments against the requirement of unanimity. First of all, it ignores the fact that all men are not constituted alike. As men differ in physical constitution, and at best only bear a resemblance to one another, so they will differ in their mental and moral make-up. A great many causes tend to produce sharp contrasts in the operation of the minds of different people. Different minds present innumerable shades and degrees of intelligence, education, strength of character, power of observation, and judgment of human nature. The opinions of men are influenced to a great extent by their preconceived ideas upon matters of religion, ethics, politics, etc. Their judgment is influenced by the peculiar experiences of their lives, by their habits of thought, by their vocations and businesses. A man's mind is the result of the countless impressions received during a lifetime; and as our experiences and our impressions, our associations and our surroundings are different, so our minds and the operation of our minds will become different. Add to that the necessary imperfections of human testimony,

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brought about by imperfect means or deficient faculty of observation, want of clear recollection, or the corruption or bias of witnesses. Is it possible that all men should have equal power of discerning truth from falsehood? Is it reasonable to expect that the same evidence will have the same effect upon twelve different minds, where there is a controversy upon the facts, each version being supported by proof? Again, we find that many jurors are easily led away by the eloquence or sophistries of able advocates, or by statements outside of the evidence, while others are able readily to distinguish between evidence and mere claims, between facts and fiction.

There is hardly an important question that occupies the human mind or heart, be it in the field of ethics or philosophy, politics or political economy, art or music, or in any other department except that of the exact sciences, on which there are not two opinions, each strongly advocated and supported by apparently sound reasoning. Think of the differences of opinion on such questions as free trade or high tariff, centralized power or State rights, the problem of the emancipation of labor, etc. Why, then, should it be astonishing that twelve men, taken from different walks of life, should reach different conclusions from the same premises? Remember the difficulties often experienced by a judge in deciding controverted questions of fact: will twelve men, coming perhaps from weighing butter or measuring calico, have less difficulty in weighing evidence and measuring the credibility of witnesses than a trained chancelor? It is the height of absurdity. So long as jurors shall be taken from the mass of common humanity, their opinions will differ in every case in which the evidence does not all tend in one direction. Consequently, when the jurors do not all honestly agree, the issue must be left altogether undecided, the trial must be a nullity, or a verdict will be returned, which, though having the appearance of unanimity, is in reality the result of compulsion, or the effect of a compromise which does justice to nobody.

We want truth. Everybody will admit that the due administration of the law requires that each juror shall be free to decide according to his own convictions. The word "verdict," *vere dictum*, means truly spoken; but a verdict which is the re-

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sult of an enforced agreement is intrinsically untrue, is a legalized falsehood. The juror who has agreed to a verdict against his real conviction, is compelled to prostitute his solemn oath by the declaration in open court that this "was and is his verdict."

There was a time when people were convinced by the "persuasion" of the rack and the gibbet, the stake and the dungeon. We all glory in a civilization which looks upon such methods as barbarous; and still we maintain a system under which dissenting jurors are often "convinced" by methods differing only in degree, but not in principle, from those of the Spanish inquisition. For though jurors nowadays are not subjected to the strange logic of cold, hunger, and darkness, still their practical imprisonment during deliberation, for hours or days, with all the deprivations incident thereto, will make many a juror change his position for the mere sake of going back to his work, to the circle of his family, to his business, and to his accustomed surroundings.

And why should we hesitate to accept a verdict in which a small minority does not concur? If you exhibit a physical object to the view of twelve men, eleven of whom pronounce it to be blue, while one man claims that it is black, will any sane person doubt for a moment that the one man is color-blind? And if, at the end of a trial, eleven jurors say "guilty," and one says "not guilty," can there be any less doubt that the one man must be color-blind morally or intellectually? Whatever you choose to call the particular defect, be it corruption, stubbornness, or stupidity, the one man or the small minority is abnormal, and presents a case of mental aberration. Deny this, and we might as well open our insane asylums and our penitentiaries, and in the place of their present inmates, shut up all the rest of the people as either intellectually or morally warped.

The absurdity of the requirement of unanimity is that it gives one mind weight equal to that of eleven; its unsoundness, that eleven honest and intelligent men may be defeated by one fool or crank; its moral deficiency, that it constantly holds out a premium to the professional jury-manipulator. Men conversant with the art of packing juries are probably to be found at the bar of every large city. That attempts at jury-bribing are constantly made, is a fact too well known to be called in question.

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Under the unanimity system, "any one juror, gained and properly armed—armed with the necessary degree of *patience*, suffices." * This makes the temptation to resort to bribery very great indeed. But if a majority of, say, nine were sufficient for conviction, it would require the bribing of at least four jurors for any purpose of corruption—a thing not so easily accomplished.

So far as criminal cases are concerned, the principle of unanimity is usually defended upon the ground that if among the twelve there is one juror whom the evidence has failed to convince of the guilt of the prisoner, there exists such a reasonable doubt as ought to preclude a conviction. If this sentimental argument were sound, then it should follow as a logical conclusion that the accused should be acquitted whenever one juror believes him not guilty. But no; the absurdity of the unanimity rule is carried so far that even if eleven men vote for acquittal and one holds out for conviction, and there is hardly any doubt of the *innocence* of the defendant, he cannot be acquitted; the law requires that he be put again in jeopardy.

There are, unfortunately, no statistics of mistrials resulting from disagreements; but the number is enormous. In any case involving complicated questions of fact, not supported on either side by any but circumstantial evidence, it might easily happen that no decision could ever be reached. For instance, I know of a suit for damages against a railroad company, now pending, in which four successive trials have resulted in disagreements.

A similar result in a criminal case would be a matter of greatly-aggravated seriousness. Suppose that in the trial of the Cronin murderers, recently held in Chicago, the one juror, instead of forcing the others to a compromise, had held out for acquittal, and the jury had been discharged on account of their disagreement; this would have necessitated a new trial. How many men in Cook County, nay, how many men in the State of Illinois, would be competent for jury service in such new trial? With the exception of illiterates, I do not believe that one out of a thousand men can be found who did not eagerly scan the daily papers throughout the trial for the reports of the evidence, and who has not formed a decided opinion as to the guilt of the

*Bentham, "The Art of Packing Juries," Chap. 5, § 1.

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accused, based upon reports of sworn testimony. All these men would be legally incompetent. It might take years and cost a million dollars to procure a jury; the fear of being kept in practical imprisonment for so long a time would prompt men, even if perchance competent, to disqualify themselves by untruthful answers; and if one hundred competent men could possibly be discovered in Cook County during a search of years, the defendants could peremptorily challenge every one of them. In other words, a disagreement of the jury in the Cronin trial would have meant the eventual escape from all punishment of the perpetrators of a brutal murder.

But the escape of criminals in itself is not the most serious consequence of such a failure of justice. Another result more to be dreaded, more to be deplored, is its demoralizing effect upon the community. It tends to destroy the faith of the people in the power of the arm of justice, and in the efficiency of the safeguards provided for the security of the citizens—that faith which is the very foundation of free government. It tends to embolden the criminal classes, to breed contempt for the law, and to encourage the preachers of anarchism.

Just observe the inconsistency of our system. We exact unanimity in juries; but appellate tribunals, which often have to pass on controverted questions of fact, are allowed to decide by simple majorities. Suppose that an appellate court of seven judges affirms a conviction of the lower court, but that three judges dissent for the avowed reason that the evidence fails to convince them of the guilt of the accused, still the judgment of the bare majority rules.

Legislative measures involving the welfare and happiness of the people at large, the adoption or rejection of the most vital constitutional amendments, and questions of peace or war affecting the lives and prosperity of millions of people, are determined by bare majorities. Unanimity is not required in grand juries, though upon their decision depends whether men's lives shall be put in jeopardy. Unanimity is not required to impeach the president of the United States. In a trial before the English House of Lords a majority is sufficient, provided it consists of at least twelve. A person tried by that tribunal may be sentenced to

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death by an assembly consisting of twenty-three peers, twelve of whom, upon their honor, declare him guilty, while eleven declare him not guilty under a like sanction.

In spite of all these analogies, we continue to place it in the power of one corrupt or foolish man to pollute the fountain of justice, to defeat the ends for which courts are organized, to upset the judgment of eleven honest and intelligent men, and to make jury trials a mockery.

The rule of unanimity may have worked well enough in olden times, when competent jurors were easily obtainable; but in our age of a free and enterprising press, which daily supplies millions of people with intelligence on all the details of every important event, it is an obstruction to the administration of justice, it is fruitful of litigation, it retards justice, and it shields crime. The system may also be accompanied with less evil results in England, where the average material for jury service is of a higher standard, and where the judge's charge, discussing, as it does, the evidence in all its bearings, is of so great significance and influence that in a majority of the cases the juries find their verdicts without leaving their seats.

Altered circumstances, resulting from the march of progress and the development of civilization, should result in appropriate changes of legislation. We have abolished slavery and admitted the freedmen to citizenship, have made important innovations in social laws, have emancipated woman from her former inferior position and admitted her to the rights of individual proprietorship and the practice of the learned professions. We are constantly concerning ourselves with the improvement of the condition of the laboring classes, have succeeded in removing the school from the influence of the church, have adopted compulsory education laws. We are ever devising useful inventions and putting them into practice. Only in the matter of the administration of the law do we stand still. We have given up the barbarous practice of subjecting jurors, while deliberating, to hunger, thirst, and cold; why not give up that other relic of barbarism, the senseless rule of unanimity?

The rule of decision that we should adopt, when we have once abolished the principle of unanimity, is a matter with which

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our legislatures will have to concern themselves after the way is once paved by constitutional amendments. I, for one, after giving the question considerable thought, and influenced partly by the successful working of majority rules in European countries, am in favor of two-third majority verdicts. At the same time, for the purpose of securing proper deliberation by the jury, some such safeguard as that suggested by ex-Governor Koerner might be adopted. In criminal cases, unless at least two thirds of the jury agree upon a verdict of guilty, the defendant should be acquitted, and in capital cases I should favor a proviso that the death penalty should not be inflicted unless the jury should unanimously agree upon a verdict of guilty. These, of course, are simply suggestions. My main purpose has been to point out the evil. The discovery of the proper remedy is a task well worthy of the exertions of the best minds. But some change must be made, otherwise the entire institution of trial by jury may eventually fall into disrepute and possibly into desuetude.

SIGMUND ZEISLER.

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THE NAVAL BATTLE OF THE FUTURE.

In former times, the armed galleys of the Mediterranean, rowed by slaves chained to their seats, were manned by soldiers as a fighting force. Sir Francis Drake was both an admiral and a general. As the seaman's art developed—as ships became heavier, and masts loftier, and sails larger, and rigging more complex—the sailor, as a man apart, came into being. The war ship was a ship like other ships, with the addition of guns, nothing more; and the man-of-war's man was a sailor like other sailors, save that he was taught to wield the broadsword and serve the guns.

The genius of Nelson brought the sailing ship-of-war to its perfection; and his stately squadrons, covered with thousands of yards of canvas, filled with tier on tier of guns, high of mast and strong of timber, some ships holding a thousand men, carried England's victorious standard in many a hotly-contested fight. A battle was preceded by more or less of preliminary maneuvering, to get the weather gage, or to secure some other advantage depending on the direction of the wind. When once the battle had begun, ships got close alongside of each other, and a *mêlée* ensued. The yard arms became locked, guns frequently protruded into the adversary's ports, men went aloft and dropped bombs and grenades on the enemy's deck or down his hatches, and hand-to-hand duels went on in the rigging. The crew of one ship boarded their antagonist, and drove the other crew below hatches, or were themselves driven back to their own vessel. The ships were usually not injured very much, and were frequently towed or sailed into port as prizes by the victorious contestant; but the slaughter on board was dreadful. A sea fight was a wholesale killing; the endeavor was, not to destroy war material, but to destroy men.

In the war of 1812 we see a new element coming into prominence, that of accurate gunnery; and shortly after followed the

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first suggestion of modern naval warfare, in the launching at New York, in 1815, of the "Fulton the First," the most complete and most powerful engine of war that had, up to that time, ever been conceived. Propelled by steam, protected on her upper deck with oak redoubts four feet thick, provided with apparatus for deluging a boarding party with prodigious quantities of scalding water, armed with the largest guns yet constructed, equipped with contrivances for firing red-hot shot, carrying submarine guns for attacking the enemy below the water line, and formed of twin hulls with the propeller between, she was beyond comparison the most wonderful craft that had ever been constructed. She made a number of successful trial trips, but the war ended just before she was completed; Fulton died, and men were unable to follow the path he had so plainly pointed out. So the navies of the world went along as before; and though Samuel Colt invented and perfected the torpedo in 1841, his invention was promptly frowned out of existence by the authorities. From Fulton's time till our war of the rebellion, little change took place in naval warfare or in war ships. Ships were made larger, as a rule, and some ships had steam; but there was no endeavor on the part of the powers that were to take Fulton's hint and make the war ship a special contrivance, though Ericsson and Stevens labored through many years to induce them so to do. At last the war broke out; Ericsson seized the long-awaited opportunity, and the "Monitor" met the "Merrimac" at Hampton Roads.

The "Merrimac" had been one of the finest frigates in the world. She was 300 feet long, and was specially strengthened for fighting by an armor of railroad iron. The "Monitor" was a half-worked-out theory. She was about 120 feet long, and was designed, put together, and sent to sea with incredible haste. She was faulty in a thousand ways, as are all first attempts in new inventions. But she drove the "Merrimac," disabled and bewildered, back to Norfolk, and became at once the type of the battle ship of the future. Never in history had there been so sudden, so complete, and so dramatic a victory of science over mere strength. Worden and Greene were men of the highest order of courage; but the whole reason why the "Monitor"

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worsted the "Merrimac," was simply that she was a better fighting machine. This plain fact was recognized at once here and the world over, and Ericsson became one of the men of history.

Following the "Monitor," came at last the torpedo, and by the tremendous effectiveness of these two inventions the world was made to see that other things besides bravery and skill can assist a nation in war. Since then, the inventive and constructive resources of mankind have been ransacked to provide engines of offense and defense. The pale-faced scientist in his laboratory has put into the hands of our naval commanders weapons that surpass in power and in length of reach the fabled weapons of mythology. The chemist has contributed high explosives and smokeless powder; the metallurgist, steel and bronze for armor and for guns; the electrician, telegraphs, signals, range-finders, motors, and torpedoes; the highest engineering talent has been straining itself to improve the engines; and the constructors' corps of all nations number men of the highest order of scholarly attainment. What is the result? A modern battle ship has become the most intricate machine existing. It takes five years to build her, and one submarine mine or dynamite projectile may sink her in a moment. Why, then, do nations build such ships? Because they must. A nation's existence depends on her ability to assert herself at junctures; and while a powerful and expensive battle ship may be sunk as stated, yet she is less likely to be sunk than a cheaper and weaker one.

But there is one great drawback to the modern war ship, and that is the time required to get her ready. No one without personal acquaintance with the subject can form any conception of the number of things that are put into a man-of-war at a navy yard, even after all the stationary fittings, such as engines, torpedo tubes, guns, gun carriages, electric lights, etc., have been put in place. The time required to get ready is an obvious source of danger; for in a modern war nothing is more essential than dispatch, and in any naval war that country which has its fleets ready first, will, *ceteris paribus*, win the day. The destruction which a modern fleet can work, if unopposed, is far beyond anything popularly supposed to be possible. When the Achill fleet broke the blockade at Bantry Bay during the naval maneu-

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vers in 1888, Admiral Fitzroy, with the "Rodney," "Warspite," "Iris," and "Severn," made a sham raid on the enemy's coast, and the supposititious damage for two days amounted to £5,400,000. It is the consequent necessity for being always ready that causes the large naval establishments of Europe; and in all modern navies—which means all European navies—no expense is deemed too great and no detail is deemed too small which bear in any way upon it. In those countries where annual maneuvers are held, the beginning of the maneuvers is the mobilization, and the time required for each vessel to go into commission, get out into the stream, and report herself ready for duty, is taken as carefully as the time of a trotting horse. In all modern navies, moreover, it is the practice to keep as many ships in commission as possible, and to keep those not in commission as nearly ready as may be. Perhaps it is in Germany that the most complete preparations for mobilization exist; and so perfect are they, that in from six to eight days the entire imperial fleet in the first class of the reserve can put to sea ready for battle.

On the outbreak of a naval war, the first duty of a nation is the defense of its own coasts. This being provided for, offensive operations are in order. But to provide for the coast defense is no simple matter, as was shown by Admiral Fitzroy, who demonstrated the possibility of devastating sea-board cities almost in the presence of the hostile fleet from which he had just escaped. The amount of attention to be required from the fleet depends on what is to be expected from the enemy, and even more on the condition of the land defenses. If the principal ports are well commanded by modern forts, having thick iron casemates, heavy guns, sunken batteries, position-finders, and search lights; if the harbors themselves are well sown with submarine mines, connected with protected operating rooms by an efficient system of cables; if the land works, as a whole, are manned by large and competent garrisons, thoroughly drilled in the use of the guns and apparatus; if there is an efficient system of coast signals and of telegraph communication with the interior, then we can use the fleets for their proper work of offensive operations on the high seas, and in assisting the land defenses of any port actually attacked.

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In the event of a war between this country and any great commercial power, a prominent feature would be the dispatch of swift, unarmored, but well-armed, cruisers, to prey on the commerce upon which the enemy's greatness rests. Many of the merchant steamers of the enemy would be armed with a few rapid-fire guns, but their engines and boilers being above the water line, they could defend themselves against similar merchant steamers only. A cruiser meeting one of these craft would have an easy victory, if she could catch her, or hit her with a shot from one of the six-inch or eight-inch rifles. But suppose she meets a similar cruiser of the enemy bound on a similar errand; a struggle to the death is the only possible result. Each will clear for action as soon as the other is discerned—perhaps five miles away. Each will probably slow down at first, in order to gain time for preparation, and especially for getting the steam pressure up to the highest point. Forced draught will at once be started, and the subdued roar of the air driven through the furnaces, to accelerate combustion, and the whirr of the dynamos, will be added to the clang of the gun breech blocks, as they are swung open to admit the projectile to the breech, the hum of the ammunition hoists raising powder and shell to the decks, and the quiet, firm orders of authority. On deck, the Gatling guns and revolving cannon, and the rapid-fire guns in the tops, are got noiselessly into readiness; the captain takes his place in the armored conning tower, with the chief quartermaster and his aid; the executive officer assumes charge of the battery, and remains near at hand to take the captain's place in case of his death or disability; the range-finders are got into position, and the officer in charge begins to report from time to time the distance of the enemy, now drawing closer.

Probably not a shot will be fired until this distance is reduced to 2,000 yards, and probably both ships will keep pointed toward each other until that time. But now what will the contestants do? It has been held that both will advance steadily toward each other—each commander hoping that some false move on the part of his adversary will enable him to rush forward, discharge his bow torpedo at 500 yards, and perhaps follow it up with his ram and end the fight at once—until they have

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approached so close, say 500 yards, that neither dares to swerve lest he himself be rammed, and that the ships will at length collide end on, and possibly both sink! This seems absurd, yet is it impossible? But if one commander feels great confidence in his gunners, and especially if the sea is smooth, he may turn his broadside toward the enemy, so as to bring his guns to bear in the most effective way, and begin a careful cannonade, knowing that one well-placed shot may rake the enemy fore and aft and disable his best gun. In case the enemy adopt similar tactics, fearing the effect of a fore-and-aft raking fire, a long-range duel may be kept up, until one or the other scores a sufficiently effective shot to warrant closing and trying the torpedo and then the ram, each hoping meanwhile to get in a heavy shot near the water line, as the adversary rolls the other way. But in case both elect a closer range, we may see the "Kearsarge" and "Alabama" duel re-enacted, each vessel steering toward the other until so close as to fear a raking shot, then sheering off toward the other's stern—not her bow, for fear of being rammed—and then each going ahead with the helm over, describing a circle with a common center. If the contestants, while possessing about equal strength, differ in one being stronger in fore-and-aft and the other in broadside fire, the former may keep pointed toward his adversary, using his bow guns, while the latter will reply with the full strength of his broadside. But should this broadside fire fail to stop the other's advance, it must soon be discontinued, and the bow turned, to avoid being rammed in the side. Here the judgment of the commander will have its fullest test, for if he delays too long—if he delays, for instance, until the distance is down to, say, 500 yards—he will not have time to turn his bow, and will certainly be rammed and sunk. He must know to a nicety the exact turning power of his ship, and must keep careful count of the distance, so that while using to the utmost the power of his formidable broadside, he will always reserve ability to turn his ram to the enemy. He must allow a margin, too, lest a sudden, even a temporary, accident or disablement to the engines or the steering gear should leave him helpless at the critical instant. The weakness of the side of the ship, and the time required to turn, which is, on the average,

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almost two minutes for 90°, show the advantage of bow fire, and of protection on the bow against a raking fire.

But the diversities of sizes and types of ships and of the circumstances under which they may meet, are so great that a thorough discussion of the naval duel cannot be made within any available limits. And what can be said of a fight between two fleets of, say, twenty-four vessels each, of which scarcely two in the whole forty-eight are exactly alike in size, speed, armament, armor, time required to turn, or size of circle for turning in?

A modern fleet is an engine of vast complexity, composed of parts dissimilar one from another. It comprises battle ships of various types, armaments, size, and speed; armed cruisers, protected cruisers, unarmored cruisers of many kinds, torpedo-catchers, torpedo boats, gun boats, dispatch vessels, and probably in the near future dynamite or gun-cotton throwers. So numerous are the requirements which war ships must fulfill, that it is impossible to combine all in one hull; hence this great dissimilarity, each vessel being built to carry out some one idea, subordinating others.

Let us imagine two fleets at sea in war time, each conscious that the other may appear at any instant upon the horizon. In the center of each fleet are the heavy battle ships of the first and second class and the armored cruisers, steaming ponderously along in columns of division, the flag ship of each division leading, and the center flag ship bearing the flag of the commander-in-chief. Close in the rear of each of the heaviest battle ships, are one or more torpedo boats, looking to her as their parent ship. On the right and left wings, and ahead and astern, as far away as clear signaling will admit, are the light, swift cruisers—the eyes of the fleet, the scouts; these scan the horizon incessantly. All the ships have distinguishing pennants unmistakably displayed, and frequent signals convey to the various captains the instructions of their admiral. Suddenly the advance scouts of the opposing fleets discern each other as specks on the horizon. The announcing signal is already bent on, and up it goes. It is read at once, and now follow the rapid signals of the admirals to their ships. All clear for action; forced draught is started, if not already up. The admirals reform their fleets, the

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scout ships exchanging perhaps a few shots as they fall back to take up their allotted positions. Undoubtedly the simplest formation for each force is the line, in which each ship heads toward the enemy, the line being at right angles to this direction; and probably each admiral will at first so arrange his fleet, and slowly advance until he has made an estimate of the number of the opposing ships, their size and character, and has formed the plan on which he purposes to open the engagement. Perhaps one admiral will at once precipitate the action by signaling "engage the enemy," especially if, from any evidences he may see of hurry, confusion, or misunderstanding, he judges that the other is not quite prepared; then the fleets will rush at each other and a *mêlée* will at once ensue. Battles have been thus fought ere this both on sea and land, one side or the other eventually coming out victorious, nobody ever knew how or why; and the lucky commander has been crowned with imperishable laurel. Possibly the next great naval battle will be fought in this way; but it is the opinion of the writer that at present the whole tendency is in the other direction. The increased use on shipboard of fine guns requiring great care, the employment of so much delicate electrical apparatus, the necessary precautions attending the storage and firing of high explosives, the nicely-compensated compasses, the precise method essential to effective gunnery at sea—all are breeding an exact habit of thought and action. This exact habit is not incompatible with bravery and dash, but it predisposes an officer to plan deliberately, not to throw away good ammunition by reckless firing, coolly to take advantage of every mistake and every mishap of the enemy, and at the proper moment (but not till then) to overwhelm him by a decisive charge. Perhaps the one of the new inventions that will make the most radical change and that will contribute more than anything else to bring this about, is smokeless powder, or powder so nearly smokeless that a battle can be seen as well as heard. In the battles of the past, an admiral had little control over his fleet after the action had once begun; he had to depend on his captains to carry out the general instructions with which the battle had been opened, for the smoke of the guns obscured the field of action. Farragut's fa-

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mous ascent of the rigging of the "Hartford," made in order that he might see above the smoke, will occur to everybody. With smokeless powder, an admiral need no longer be a simple spectator of a conflict, as Sieglinde was of the duel between the mist-enshrouded heroes of the Teutonic legend, but from the armored conning tower of his flagship may exercise as active a control over his ships as does a chess-player over his pieces. With a well-trained signal corps, and with swift dispatch vessels to act as messengers, an admiral can mass his whole force upon a given point, or give re-enforcement where his own line seems to waver.

While the battle ships bear the brunt of the engagement, the lighter and swifter cruisers seek out each other, or assist the battle ships at some designated point. In obedience to signal, the stealthy torpedo boat darts out at intervals from her hiding place behind her parent vessel, delivers a torpedo at some ship that has approached too close, and runs back for shelter, or perhaps is sunk by a single shot. Meanwhile some "Vesuvius," also hidden behind the parent ship, throws long, arrow-like projectiles, each holding 200 pounds or more of dynamite, perhaps a mile. Her target is the whole surface, deck and sides of an enemy's ship, while that of the powder guns is only the area presented by the vertical side; and one hit from her means wreck.

In view of the destructiveness of the new weapons of offense, there has been no lack of predictions that the naval duel of the future may simply reproduce the conditions of the famous conflict of the Kilkenny cats. While it is hardly wise to go to such an extreme as this, it is none the less true that the modern naval conflict may be affected by causes far less overwhelming in appearance, but none the less potent in reality, than those which gave victory or disaster in the battles of the past. The vast multiplication of delicate apparatus increases the chances of accident, and therefore the difficulty of predicting the result of any given engagement; but it must always remain true that the chances will still be in favor of the ship that is the best equipped and the best managed. The various inventions of the past few years—rapid-fire guns, high explosives, torpedoes, submarine boats, dynamite guns, and range-finders; the increased power and perfection of steam and electric machinery; the improvements

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in powder and in steel for projectiles and for armor—have not revolutionized naval science so much as they have broadened it. The principles of strategy remain the same, and so does the necessity for the seaman's skill. New tools have been placed in the hands of naval commanders, and with them comes the necessity for learning how to use them. Torpedoes have not abolished iron-clads, but they have made constructors build iron-clads with an eye to resisting them, and they have made commanders study how to avoid torpedoes and how to use them in return. Rapid-fire guns came into use just when ordnance men were declaring that the future held only very large guns, and that ships would carry but few; and now we see a suggestion of the olden days in the numerous small rapid-fire guns carried in every war vessel on the seas. There is a perpetual readjustment of the powers of offense and defense; new weapons of destruction call forth new methods of protection. Engineers construct, inventors invent, experiments are tried, sham battles are fought, and heated discussions agitate the naval mind; but the only thing that can determine the real conditions of modern naval warfare is a modern naval war.

BRADLEY A. FISKE.

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WOMAN'S INTUITION.

How very odd that those who love and reverence womanhood most, should often be regarded by the self-constituted champions of the "women's cause" as its avowed enemies. And yet perhaps not so odd after all, if one remembers that the object of the women's advocates is, not to defend and uphold womanhood as such, but on the contrary to turn women, if possible, into feeble, second-rate copies of men. Between those who admire woman, as woman, and those who think so ill of their own sex that they want to abolish all its distinctive and essential features, there can in the nature of things be no possible sympathy, and no room for compromise, now or ever.

Happily, however, women have still a vast body of friends left—friends who will succeed in saving womanhood from the "advanced" women who would fain abolish it; and those friends are, as might naturally have been expected, the men. In spite of all that lady lecturers and anti-feminine old maids can do to unsex their sisters, men will for the most part continue to choose their wives—the mothers of future women—from the most womanly of their kind; and so will aid and abet in handing down to coming generations those fine and beautiful feminine qualities that the recalcitrant mannish women of our age are so anxious to disown in favor of male peculiarities. Men will protect women against the enemies of womanliness in their own sex. The celibate lady lecturer will die unrepresented; the woman with grace, tact, high emotional endowments, pure womanly gifts, will hand down her exquisite and charming qualities to other women, her likes, after her.

And these qualities, the finest flower and most ethereal outcome of our race, manly men are certainly the last persons to underestimate. What a vulgar, material view of humanity it is that treats the power to teach school or to earn a livelihood as the sole measure of efficiency in the race. What a vulgar, ma-

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terial view it is that brings everything down to the rule of three in dollars and cents, and endeavors to exalt the harder mannish qualities at the expense of the softer, purer, and finer womanish ones. What a vulgar, material view it is that looks upon the shop and the factory as the sole end and aim of our race. It takes all sorts to make a world, says the quaint old English proverb, in homely words, but with wide human philosophy; and it takes men and women both, with all their specialities, to make the highest humanity. If the anti-feminine women could have their way, and could crush out womanhood, what a hard, gray world they would finally make of it—a world all speechifying, and conventions, and manufactories, and shops; a world of type-writers, clerks, and dry-goods women; a world governed throughout by the most narrow and rigid politico-economical laws; a world out of which all the grace and the softness would be gone; a world of self-supporting old maids and business men; a world without any real women, any home life, any disinterested emotion, above all, any round-armed babies. But, thank heaven, they can never have their way; for the men will go on marrying womanly women; and the womanly women will go on being the mothers of pretty girls, with all the inherited emotional wealth of a thousand generations in their bosoms.

The great part that woman plays in thus keeping up and improving the normal high standard of the species, is just this: she contributes in the main the emotional element. From the very nature of her bodily organization, woman is emotionally more resonant than man. Her frame is made up of sounding-boards. She has a greater number of nervous reservoirs, as it were, whence stores of emotional energy can be drawn to meet occasion; and in moments that conspicuously call forth this energy, one can see her whole bodily form vibrating to the particular chord that happens for the time being to be touched by circumstances. But this emotional endowment is not, we may be sure, a small matter in the economy of the race. It is the basis on which are reared the whole vast superstructures of the artistic, the musical, and the imaginative faculties. Not only do we owe to it the poetical element in man, the groundwork of the arts of painting, sculpture, music, and decoration, and of much

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that is essential in literature as well, but we owe to it also, I believe, a large part of our practical gains, because without the emotional tinge and the faculty of imagination, no great work in any direction—not even in mechanics—was ever accomplished.

To be sure, I persist in believing that in the future, as in the past, the greater part of such gains, and of all other main gains of our kind, will be due directly to the brain of man rather than to the brain of woman. But since women almost undoubtedly transmit to their male offspring a certain proportion of their emotional endowment—exactly as they even transmit certain functionally-useless counterparts of their own distinctive feminine organization—it must necessarily result that where women are most purely womanly, there even the men will indirectly participate in the high emotional endowments of the women. And I believe that observation bears out this inference. Where women are least feminine, men are hardest and most practical; where the differentiation between the sexes is widest, the finest intellectual and emotional blends result from their intermixture.

Now, the intellectual quality in which woman is strongest is undoubtedly the intellectual quality nearest allied to the emotions; namely, intuition. And this is also the quality most peculiarly present in those high and exceptionally valuable individual organisms that we call geniuses. The genius is akin to the woman in this, that what he guesses and jumps at is almost more important than what he deliberately reasons and sees. His very *differentia* as a genius, indeed, is most often this: that he clears at a bound what other men would take long marches to get over. I well remember the greatest living mathematician saying to me one day that Laplace, in summarizing a mathematical argument, often wrote, "Hence it obviously follows that $x = f \times ab^2 + y$," or whatever it might be; when he, the great living mathematician, could see the truth of the inference only after working out a page or two of elaborate calculations. Laplace's mind cleared at a bound the "obvious" intervening steps, which genius of a somewhat less exalted type could only slowly and cautiously creep over. That is exactly what we call intuition—the power of seeing implications, one knows not how. And it is this sort of intuition, coupled of course with high masculine qual-

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ities—knowledge, application, logical power, hard work—that gives us the masterpieces of the world's progress; that gives us steam engines and locomotives, telegraphs and telephones, Hamlets and Richard Feverels, Newton's "Principia" and Spencer's "First Principles."

Whence does humanity derive this extremely important and especially progressive gift? To a large extent, I believe, from its feminine half. The most averagely masculine men are not remarkable in any way for intuition. On the contrary, the common male way of going about anything—the safe, ordinary, business-like way—is the way of direct observation and strict reasoning, the matter-of-fact way, the way that proceeds wholly upon known methods, a step at a time, and arrives at comparatively familiar results. It is as far removed as possible from the feminine intuitive way—an unsafe, precarious, unsatisfactory way, when ill-employed in incompetent hands; but a fruitful, and sometimes almost miraculous way, when guided by competent knowledge, balanced judgment, logical ability, and critical acumen.

And why have women this gift of intuition at all? Well, its origins are not single or simple; they go down a long way into the past of our species, and depend upon many converging factors. In the first place, woman's intuition is a variety of instinct; and instinct is the common endowment of all animals possessing nervous systems at all. From a certain point of view, we may regard it as a survival in humanity—a partially one-sided survival, affecting chiefly a single sex, though extending in its outlying modes to a portion of the other. Mr. Herbert Spencer (who, if I may venture to say so, appears to me somewhat to undervalue the female idiosyncrasy) seems to imply that because it is a survival, it is therefore a low and comparatively undesirable faculty. In this I cannot quite agree with him. Intuition in women is the instinctive, immediate, and unreasoned apprehension of certain implications of the facts presented. But it is not necessarily unreasoning because unreasoned, any more than the born mathematician's faculty is unreasoning because it proceeds by great bounds where slower thinkers in that particular direction proceed by cautious steps and inferences. On the contrary, intuition, when you can get it, is better than reasoning. Nor is

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it perforce low because woman shares it with the lower animals; on the contrary, it is rather a noble common endowment that man, as male, has largely lost through the gradual evolution, training, and discipline of his logical faculties. It is well known that "counting boys," if they learn the accepted arithmetical methods, lose thereby their extraordinary natural and instinctive power of arriving at the solution of problems intuitively. In the same way, man, the male sex of humanity, in acquiring his high intellectual development, has lost to a great extent his instinctive intuition. But this is not necessarily all gain; quite otherwise; we may compare it to that short-sightedness which comes with too much "poring over miserable books"—a thing that nevertheless is no real advance upon the keen vision and quick perception of the bookless savage. The first root of woman's intuition, then, I take to be the common instinctive endowment of the higher animals; it is the specially human form of that instantaneous apprehension of the meaning of external signs that we see in all the quickest-witted beasts and birds, as well as in the sharp discriminativeness of hunting tribes for the signs of game, enemies, danger, or weather.

The second main root, I take it, is to be looked for in the domestic affections. Woman leads, and has always led, an almost wholly social life. Hence this prime endowment, dwarfed and shriveled in man, has expanded in her with use and exercise till its extreme manifestations sometimes strike the cumbrous and slow-going male intelligence dumb with astonishment. The innate faculty has been quickened and developed by the spur of affection. Woman passes her life in watching her husband and her children. She is quick to observe passing moods and indications; and the quicker she is, the more does she do to preserve her own life, her companion's, and her offspring's. Even her strong sexual jealousy, essential to her own protection in earlier times, has added its part to the sum. She has learnt to detect in a moment the merest shades of expression on the face of husband or lover, to jump at conclusions with unerring instinct, to interpret correctly signs and tokens so small and inconspicuous that even the man who gives them is himself supremely and happily unconscious of them. And it is worth while to note in passing

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that the greatest triumphs of feminine intuition are almost always thus social and personal. They consist in marvelous reconstructions of character, motive, or passing mood, fetches of insight into the mind of others, which the woman in whom intuition is highly developed can often read like an open book.

Hence it is, I would say parenthetically, that women make such admirable novelists. They are to the manner born. Men, and especially men of intellect, rarely observe much the petty doings and sayings of others. But women instinctively and unconsciously observe all these things; they go through life reading the minds of others at every turn, and with a store of accumulated observation upon motive and character that serves them in good stead whenever they take deliberately to reconstructive imaginative work. Most male novelists begin to observe for the first time, for the purposes of their romances, after they take (more or less *contre cœur*) to the trade of novel-writing; most women novelists can draw at once upon a vast stock of arrears unconsciously assimilated.

Many other minor considerations come in to help the high development of intuition in women. For example, there is the fact that woman's world is mainly a world of people, while man's world is mainly a world of things. Then there is the love of approbation, which the principle of sexual selection has rendered so important for women; together with the shrinking from blame, which in early stages of human evolution meant the avoidance of danger from a husband's, father's, or master's sudden outbursts of savage anger. The woman who could quickest detect the signs of rising wrath, and either keep out of the way or soothe and quiet her irritated lord; the woman who could best discern the moments when he might most safely be caressed or cajoled, when favors might be asked or favors granted, was the woman who in the end recruited the species with like-minded descendants. A dozen other concurrent strands occur to me as I write, but I forbear to mention them all; the experience of readers in their own domestic circles will doubtless amply supply the deficiency. For what we all ask even now most decidedly of woman is responsiveness and sympathy, and these imply at once the power of reading and interpreting emotion. The most

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beautiful woman who fails to respond, does not touch our hearts; what we like is the eye that meets our own in every passing mood—that thrills to our thrill, dims to our dimness, darts contagious fire (the phrase is Milton's, and may therefore pass muster, I hope, even in America) to our glance of meaning.

I hold, then, that female intuition is a noble original endowment of our kind, possessed by us in common with all other animals, and shared in a high degree by both sexes among more primitive humanity, as among existing savages. But while, with civilized men, the faculty has tended to die out, under the influence of deliberate education of the reasoning powers and handicrafts, with civilized women it has grown stronger and stronger, in virtue of its alliance with the domestic functions, and its importance in the strictly social life of the wife and mother. We have lost, while they have gained. And this differentiation itself, again, I hold to be of distinct value and importance to the species. It is not for nothing that in the course of evolution the sexes have diverged; they have diverged because each has its own useful and essential part to play in the economy of the community. Man has specialized himself on logical intelligence and practical handicraft; woman has specialized herself upon the emotions and intuitions, the home and the family. To say this is no more to belittle woman, than saying that a man is a sculptor or a poet is putting him on a lower rank than a manufacturer or an engineer.

Furthermore, I believe that in the highest minds a certain intermixture of this feminine element of intuition with the masculine element of pure reason is always present. Great wits jump; that is to say, they are essentially intuitive. They see at a glance what plodders take years and years to arrive at; they catch instinctively at principles or generalizations that the solid business man could never compass. And this ability, it seems probable, comes to them largely from the female side of their ancestry. There is, indeed, in all genius, however virile, a certain undercurrent of the best feminine characteristics. I am thinking now, not merely of the Raphaels, the Shelleys, and the Mendelssohns, but also even of the Newtons, the Gladstones, and the Edisons. They have in them something of the womanly, though

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not of the womanish. In one word, the man of genius is comprehensively human. As he always results from a convergence of many fine stocks upon a single point, so also, it seems to me, he often results from a convergence of male and female qualities. He has reason like a man, but intuition like a woman. It has frequently been said, with obvious lop-sidedness, that great men owe their greatness to their mothers. One might almost as well say that a chemical compound owed its properties to one alone among its various constituents. But there is a certain *substratum* of truth for all that, perhaps, in the oft-repeated fallacy; great men do probably owe a large element of their greatness to the imaginative faculty and to the intuitive faculty that they derive from their mothers. I think I have observed this in life more than once myself—that men of genius were the sons of mothers in whom the feminine attribute of intuition was highly developed, and that they themselves highly inherited it. Goethe's well-known lines avow it. Certainly, there are whole types of genius in which intuition is a necessary factor—in which intuition gives the very key note of the genius. A woman says: "I don't know how I know it; but I know I know it." So there are great thinkers upon whom truths flash with intuitive certainty, whence or why they know not; great discoverers upon whom discoveries or inventions come at a burst with synthetic completeness; and great poets or artists upon whom works of art dawn suddenly with imaginative perfection. "How do you do it?" such men are sometimes asked; and I have heard them answer more than once: "I don't know how I do it; it comes of itself to me." That, I take it, is essentially a feminine gift to humanity. If we were deliberately to educate out the intuitive faculty in woman, I believe we should leave humanity so much the poorer, and should get only inferior copies of men, to be mothers of an inferior sort of men in future.

GRANT ALLEN.

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GOVERNMENT BY RUM-SELLERS.

WHY not government by rum-sellers ? Is not rum-selling a legitimate business? Are not business men well fitted to govern a city? Do we not need business talent to manage the finances and maintain a business system in so important a matter as the affairs of a great metropolis? In spite of these logical questions, we do not wish a government by rum-sellers. The idea is unsavory. No pleasant associations are grouped about it. We instinctively picture a government of dirt and disorder when we use the phrase. Why is this? A government of iron-sellers or wool-sellers would not sound so. What is there in the rum-seller that makes us cry, "*Habet fœnum in cornu*"?

Let us first note that the term "rum-seller" has a meaning given it by usage, not the equivalent of its etymological signification. The rum-seller of etymology is any one who sells rum; but the rum-seller of usage is one who sells intoxicating liquors of any sort at a public bar, to be there drunk. Saloon is a word that has had a like restriction in meaning, and now rum-seller and saloon-keeper are synonymous. These words represent the men we are now speaking about. The community generally shrinks from being under a government of these people. There must be a reason for this. The fact that they are in a legitimate business does not protect them from this general opprobrium. And they alone sustain this opprobrium. There is no other class of business men that begets such revulsion in the public breast. We would discover the cause of this phenomenon. In speaking of the class we must not pick out exceptional cases. We must leave those, and argue from the great majority. So doing, we think we can find the following facts to help us answer our main question.

The rum-seller or saloon-keeper is engaged in an immoral business. It is an immoral business because it makes drunkards and ruins families. We know by the observation of years

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that the frequenters of the saloon are not moderate drinkers; that they do not come to slake a reasonable thirst, as one does when he goes to the water pitcher. There may be here and there one such, but the mass of those who enter the saloon go for the excitement of drink, not for the quenching of thirst. It is no slander to say that the saloon is the resort of idlers, loafers, and roughs. Any one who has eyes may see who go in and out of the saloon and who stand at its portals. These are the representatives of the morality of the saloon, who render it disagreeable for refined persons to pass its doors; and hence the dread that respectable people entertain of having a saloon established in close neighborhood to their homes. Our police have often testified that they naturally go to the saloon when they wish to find a criminal. That is his natural haunt. However much a saloon-keeper may wish to keep such out, he can draw no line practically and exclude a customer on account of his moral character. No shopkeeper can do that. His shop is a public place for all who come to buy. And, as we have said, those who come to buy at the saloon are mostly those who drink to excess.

Any one who has had experience in visiting and helping the poor of a city like New York, knows that a very large part of the distress he sees arises from the waste of money on drink. Wages are spent at the saloon by the father, and the wife and the children suffer. The rent is not paid. The family move from place to place. The furniture is broken and soiled. The clothes are patched and ragged. The children become street Arabs and grow up to be criminals of all sorts. The father's drink has not only consumed the living of the family, but filled the family with strife and iniquity. This is but a plain, unvarnished statement of what is well known to every city missionary and to every benevolent visitor. How often have we warned the rum-seller not to sell to a father of the kind described! But with what avail. He has found a score of others ready to sell to him, and after a few weeks, when the warned rum-seller thinks that he is no longer watched, he resumes his sales to the drunkard. Then comes a complaint to the excise board; but the evidence is never satisfactory to that body, to whom the law (in New York) unfortunately gives absolute discretion. If we go to the courts

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under the civil-damage act, the rum-seller, when convicted, is found to have no property to levy on. Supplementary proceedings are instituted, and the convicted man solemnly swears that he owns not a cent's worth; that all his liquor and the furniture of his establishment are owned by his brother! In both processes the laws are defective. In the first, the excise board should have no discretion. Proof of a breach of the law should compel forfeiture of the license. And the civil-damage act should provide for imprisonment on failure to pay the damages; not, of course, imprisonment for debt, but imprisonment for a stated time as an alternative to the fine implied in damages. But our main point now is, not to show the defects in the laws, but to show that the saloon business is immoral, because it makes drunkards and ruins families.

These truths have made the saloon odious in the eyes of the community, and have ever demanded special legislation to guard against its evils. The opium joint is the only parallel to it; but as that is almost exclusively a resort of Chinamen, it occupies a small part of public attention compared with the omnipresent saloon. What we have said is enough to show that the saloon-keeper is engaged in an immoral business; and we need to add only that the dread of the saloon's work and influence, as exhibited throughout the respectable classes of society, could exist only as produced by the danger to public morals connected with it. No mother would have her child visit a saloon; no sister would see a brother frequent a saloon without shuddering. How, then, are the saloons supported? By the depraved and careless classes. These classes are very numerous. The depraved find their inspiration in the saloon. The vulgar jest, the obscenity, the quarrel, the fight, which find a home in the saloon, exactly suit the depraved, and in that resort they strengthen their depravity. The careless comprise those men who know all this about the saloon and inwardly despise it, but yet, for a moment's gratification in drinking, do not hesitate to drop in and take their glass at the bar, thus lending an air of respectability to the loathsome place. The careless are a legion in every community. They care nothing for the public good, and hence they care nothing for example or influence. They could easily turn the scale in favor of

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reform in any department of life, because of their great number, but they have not enough interest in humanity to bear a feather's weight of self-denial. They are not drunkards, nor akin to them, but they help to continue the evil quite as much as, if not more than, the depraved. Though moral persons, they abet immorality by their abuse of responsibility.

A second fact regarding the rum-seller is the moral obtuseness into which he falls. We presume that it can be said generally, that an immoral business, if persisted in, will sear the conscience of a man, and in this way lower his moral standard. He becomes accustomed to work evil, so that evil loses for him its evil character. This is emphatically the case with the saloon-keeper. His drunkard-making and family-destroying lose for him all their revolting features, or the speck of conscience in the matter that remains is easily satisfied by throwing all responsibility upon the drinker. Besides this, he is constantly surrounded by rough and vulgar conversation, and becomes used to a lying and obscene atmosphere, which imparts its character to his own soul. It is the experience of all who have had to prosecute saloon-keepers that their word is good for nothing. They do not hesitate to break the laws, and they do not hesitate to swear to falsehoods. Of course there are exceptions to this, but we are not dealing now with the exceptions. It is abundantly noticeable that the moral sense is defective in them, expediency taking the place of principle in all their dealings. A saloon-keeper, now and then, oppressed by a sense of his moral retrogradation, acknowledges that his business is a degrading one, and begs that he may be helped out of it into something where his manhood will not suffer. Such men are not yet completely hardened by their immoral business. They have some susceptibility left. But these are few. The great majority have no compunction, and some are so thoroughly obtuse in their moral sense that they boast of their virtues as displayed in their crimes. One prominent saloon-keeper of New York City, in whose den several murders had been committed, told me with pride that, after he had made a poor wretch drunk, he carefully put him to bed till he recovered consciousness. He considered this a proof of his christian character.

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That which in other trades helps the moral nature, namely, intercourse with high-bred men and attrition with cultivated minds, is wanting with the rum-seller. In other trades are found refined customers, men and women of dignified character and self-respect, whose presence and conversation are incentives to virtuous thought, and hence in ordinary trade there is a wholesome air, beneficial to the community; but in this trade of rum-selling there is nothing of the kind to help lift the seller above the fetid morals of the depraved class. The frequenters of the saloon use language, illustration, story, argument, steeped in immorality, and the saloon-keeper must necessarily be affected by such surroundings. He must be more than human who escapes such a result.

Now, it is because of the two facts that we have stated—the immorality of the business and the liability to moral obtuseness in the rum-seller—that a government by rum-sellers is dreaded. No one interested in the justice of a suit wishes them on a jury. No one would have his own estate managed by them. No one would see them in responsible offices connected with education or religion. No one would have them control the railroad or telegraph interests of the community. No one would have them direct our banks. And yet, in spite of this universal distrust of rum-sellers as a class, political trickery and political prostitution put them into legislative and executive office in city and State. Party leaders stoop to this anomaly and party voters blindly obey them. What do we see in the city of New York to-day? Ten of the twenty-six members of the Board of Aldermen are rum-sellers. These ten, with four others who are like them, form a working majority to use their perverted moral sense in framing ordinances for the city. Their legislation has become a by-word, and is suggestive of "combines" and "boodle." No one supposes for a moment that they study the interests of the city, that they are moved by arguments of patriotism and public virtue; but every one knows that they seek the emoluments and political prestige of office, which are the loftiest considerations with which their minds are familiar. When any ceremonial is held to greet distinguished strangers, the city is ashamed that such as these represent it officially, and apologetic

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words have to be whispered to the guests. The city, manipulated by these low minds, is made to send like characters to the State Legislature, and our citizens are mortified at seeing in the chairs of the Senate and Assembly ignorant and vicious men, who cannot comprehend a moral purpose, and who are open always to the influence of a bribe. Parties work their evils with this material, and rich corporations know well how to use it. The giant evil of intemperance cannot be met by wholesome laws while these men sit at the source of legislation. The cause of education cannot be justly dealt with. The constitutional separation of church and state cannot be maintained. The sins of gambling and licentiousness cannot be honestly treated. All these important subjects, together with those involving the pecuniary welfare of the people, are unsafe in these polluted hands. We know well that others besides rum-sellers are open to these charges, but we also know that it is the saloon element that is mainly responsible, and that around it crystallize the other elements of evil. We have seen this power so successful in its strength as to carry a State election, and openly to boast that it rules and intends to rule the wealthiest State in the Union. This, if a true prophecy, means the destruction of all moral barriers and the establishment of criminal chaos. It means general corruption and the reign of injustice and oppression.

There is but one remedy—the destruction of the rumshop. But how can this be effected if the rum-seller rules? Let us ask, Why does the rum-seller rule? Is it because he represents the majority of our people? Surely not. He and his followers form a small minority of the whole. Their rule is the rule of an impudent oligarchy. Two large classes are responsible for this condition of things. First, the partisan voters of respectable character and life who deliberately vote their party ticket although it is defiled with names that are redolent of the odors of the saloon. They lay aside conscience and common sense under the false theory of loyalty to party, as if party were more than country and moral duty. Instead of rebuking party by an opposing vote, they go with the party to maintain corruption. These uncorrupt and incorruptible voters thus sustain the system that their own souls hate. Many of them are indifferent or care-

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less as to results, having satisfied themselves that loyalty to the "regular" nominations is the one thing needful. Others wish reform, but are in despair concerning it. Let such understand that to have reform, *individuals* must be reformers; and that each individual can begin the reform most effectually by voting only for clean candidates. The other class responsible for a government by rum-sellers is that of the non-voters. These are chiefly well-to-do people who are too much engrossed in their own business or selfish pleasures to care for the public welfare. It is estimated that there are in New York City 20,000 men who habitually abstain from voting. Their votes, if cast, would all be on the side of public virtue, for they are men of correct sentiment and upright life. The depraved are never found wanting when voting time comes. These 20,000 could turn any election in New York City for good if they should exercise their right and do their duty; for not only would their votes count, but the knowledge that there was such an army of righteousness about to vote would purify the list of candidates. The rum-hole candidates are nominated because the politicians count on the absence of these 20,000 from the polls, as well as on the "loyalty to party" of 100,000 who do vote.

Were all right-minded electors to vote, and to vote according to conscience and not according to party, the rum power would be suppressed at once. The saloon would then be destroyed. This tap root of evil annihilated, public office would be in purer hands, legislation would run in moral lines, and the people would be more prosperous and contented.

This is the most important question now before the American public. Tariff, railroads, the Negro, the fisheries, Canadian reciprocity, Pan-American alliance, and the silver question are all of secondary consequence, when compared with this matter of the fundamental morals of legislation and society. It would be well if the attention of our citizens could be diverted from all other questions and concentrated on this, until it should be settled that rum is not to rule our land and spread its filth and corruption over the glorious potentialities of the heritage with which a gracious Providence has endowed us.

HOWARD CROSBY.

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WHEN THE FARMER WILL BE PROSPEROUS.

In a recent Forum article it was shown that the absence of prosperity among farmers is largely due to excessive production of nearly all farm products. Such being the cause of the difficulties that beset the farmer, it is desirable to ascertain whether the conditions essential to prosperity can be restored, either by government intervention or by the operation of natural laws.

Doubtless a measure of relief would be had were a stop put to the dealing in options for farm products, were the rates for transportation always just and reasonable, and were all combinations deprived of any control over the prices of cattle and other farm products; but, it being doubtful if any amelioration can be hoped for in these directions, the needed relief must be found in the operation of such natural agencies as will bring about a readjustment between population and production.

That time will readjust the disturbed relations between production and consumption, is as certain as that population will continue to increase; and to show that such equilibration may confidently be relied upon, it will be necessary to proceed upon the hypothesis that the farmer can hope for prosperity only when domestic consumption shall absorb nearly all his products; but in order to show how and when this will be brought about, it must first be known how much present production is in excess of home requirements.

Assuming the population to be now 65,000,000, with the area in cereals producing average crops and current consumption 15 per cent. greater, per capita, than in the five years ending in 1874, present supplies are in excess of population as follows: corn for 5,500,000 people, wheat for 14,000,000, cattle for 6,000,000, and swine for 11,000,000. Should population continue to increase as heretofore, and production not increase more than seems probable, home requirements will absorb all food products before the end of this century. That there will be some

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increase in food products is probable; but we can estimate the extent of such increase from data showing the area available for production, and a knowledge of the rate of increase and the distribution of the areas heretofore employed will aid in forecasting the future course and extent of production.

During the last five years population has increased 13.7 per cent., the area in corn $12\frac{3}{10}$, that in oats 29, cattle 20, and swine 14, with a decrease of $3\frac{4}{10}$ per cent. in the wheat area. Seven tenths of such increase in the corn area occurred in the first two years, indicating that the expansion in corn-growing is nearing its end. That such is the case will be seen when an inquiry is made into the present sources of supply, and we compare the present rate of increase and distribution of areas with those obtaining in preceding periods as set forth in the following table:

TABLE SHOWING ACREAGE OF CORN AND ITS GEOGRAPHICAL DISTRIBUTION IN THE YEARS 1874, 1879, 1884, AND 1889.

Groups of States.	Corn Acreage 1874.	Corn Acreage 1879.	Corn Acreage 1884.	Corn Acreage 1889.
North Atlantic,	2,780,204	3,608,036	3,669,741	3,646,676
Lake,	13,903,883	18,353,646	17,311,852	17,499,440
Missouri Valley,	8,721,076	17,343,738	21,590,881	27,385,602
Southern,	13,292,302	19,136,458	21,339,493	22,783,290
Arkansas and Texas,	2,246,272	3,766,897	5,510,410	6,704,044
Mountain and Pacific areas,	93,181	160,094	261,403	300,599
Totals,	41,036,918	62,368,869	69,683,780	78,319,651
Percentages of increase,	.....	52.0+	11.7+	*12.3+

The preceding exhibit shows that corn-growing is apparently approaching its limit, and that contraction in area is not improbable, the increase in acreage having ceased in the coast region, extending from Maine to Maryland, and in the lake group, which includes such States as Ohio, Indiana, Illinois, Michigan, Wisconsin, and Minnesota.

In the States of the Missouri Valley—Iowa, Missouri, Kansas, Nebraska, and the Dakotas—the area in corn nearly doubled in the five years ending in 1879, and the reduction in the rate of

* The increase in the corn area during the last three years has been but 1.2 per cent. per annum, as against 4.1 per cent. in the two preceding years.

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increase shows that the quantity of new land being devoted to this crop is less than formerly. This is the scene of the excessive expansion in corn-growing which flooded the markets, depressing prices to the present unprecedented level; yet in this district the corn acreage has nearly reached its limit, settlement having passed beyond the corn area and partially overrun the arid plains where corn culture is impracticable, except upon such limited areas as can be irrigated. The process of converting corn fields into dairy farms, orchards, and meadows is here in active operation, and we may conclude that the corn fields of this district will not in this century, if ever, exceed 30,000,000 acres.

South of the Potomac and Ohio, corn-growing made great strides from 1874 to 1879, but advanced much less rapidly from 1879 to 1886. Since 1886 there has been but small increase. In Arkansas and Texas the increase has been better sustained than elsewhere, and shows less signs of an early halt, although there is an encouraging slackening in the rate. A moderate increase may be looked for in these States.

The acreage employed in corn-growing in the vast regions extending from the 102d meridian to the Pacific, does not equal that of the corn fields of two counties in Kansas; and this entire area, being but poorly adapted to the production of this staple, will ever remain an unimportant factor in determining the extent of the supply.

From this survey of the sources of supply it appears that any material increase of the corn acreage must be looked for in the States of the Missouri Valley, in Arkansas and Texas, and in that portion of the Indian Territory lying east of the 98th meridian, the latter being the only body of land adapted to this product yet to be occupied. Of these lands, by far the best are likely to remain in the possession of the Indians, and those familiar with Indian farming will look for but little addition to the supply from lands so occupied. Nor are the blacks now migrating to the Indian Territory likely to increase the surplus, as much of their labor will doubtless be employed in cotton-growing, to which soil and climate are adapted. It is safe to say that the Indian Territory will not for years produce any considerable surplus, but will, by the end of the century, have two or three

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million acres employed in growing coin, which will no more than compensate for losses in area east of the Mississippi.

The tendency of the present very low price will be to contract the area in corn wherever the land can be otherwise employed—at the South, for instance, in the production of cotton—and some expansion of the wheat fields may result from a decrease in the corn area in northern localities.

This review of the area of corn production leads to the conclusion that the acreage devoted to this staple will not exceed 83,000,000, until such time as far higher prices shall render profitable the cultivation of soils of very low fertility; and it is not likely to exceed 80,000,000 acres within five years. Careful computation of the extent of the exportation of animals and animal products, now and fifteen years since, shows the increase in such exports to be equal to an addition of one bushel of corn per capita; and what with the increased exportation of corn in this form, and its larger employment in the manufacture of various forms of glucose and as a substitute for Canadian and home-grown barley, a moderate estimate would put the per-capita requirements at least 15 per cent. above the amount consumed prior to 1875.

With consumption at the rate of 28 bushels per capita, an average yield from 83,000,000 acres would supply a population of 74,000,000, which we may expect to see as soon as the year 1895.

TABLE SHOWING ACREAGE OF WHEAT AND ITS GEOGRAPHICAL DISTRIBUTION IN THE YEARS 1875, 1880, 1884, AND 1889.

Groups of States.	Wheat Acreage 1875.	Wheat Acreage 1880.	Wheat Acreage 1884.	Wheat Acreage 1889.
North Atlantic,	2,489,724	3,205,155	3,279,925	2,851,453
Lake,	11,011,734	16,221,457	14,183,543	13,621,659
Missouri Valley,	5,406,160	8,950,331	9,011,317	6,276,440
Southern,	4,869,364	6,109,064	6,472,815	5,883,817
Mountain areas,	125,213	293,100	442,795	507,136
The Dakotas,	10,000	300,000	1,540,200	4,431,034
Pacific Coast,	2,469,317	2,907,610	4,545,290	4,552,320
Totals,	26,381,512	37,986,717	39,475,885	38,123,859
Percentages of increase and decrease,	.....	44.0+	3.9+	3.4—

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The table covers the period of greatest expansion in wheat culture, and shows the distribution of acreage now, at the commencement of that period, and at its climax in 1884, when acreage and aggregate product were at the highest point ever reached, with population about 9,500,000 less than now. Although the table tells the story of the westward movement of wheat-growing, and shows that it has reached and passed its limit, an analysis of gains and losses will enable us to estimate the future course and extent of production.

In the North Atlantic group the increase in acreage was constant until 1880, thereafter giving place to a material diminution. The additions to the acreage in the lake States was very great up to 1880, when a rapid decrease began, the loss now amounting to 2,599,798 acres. In the States of the Missouri Valley, exclusive of the Dakotas, the enlargement of the area was very great up to 1881, when a sharp corner was turned, the wheat fields of this district having since shrunken 3,038,260 acres. The southern States, including Arkansas and Texas, show a moderate increase from 1875 to 1884, but a loss of 588,998 acres in the last five years, now employed in cotton fields.

There occurred a rapid increase in the wheat area of the three Pacific States prior to 1884, since which time the increase has been less than one per cent.; and an immense forest growth, covering the best soils of Oregon and Washington, will preclude any rapid increase in those States. During the ninth decade the Dakotas witnessed the most rapid conversion of wild lands into wheat fields that the world has ever known; and these fields now furnish a large part of the exportable surplus, and tend to keep prices near the starvation point. The Dakotas and the mountain and Pacific regions include the only areas where the wheat acreage does not show a diminution; and in these districts the gain is not likely to equal the losses elsewhere, as the wheat fields have already invaded the arid regions where crop failure is the rule. Indeed, competent authorities declare that profitable wheat culture is impossible without irrigation in the Dakotas, or in the British possessions between the 100th meridian and the western slopes of the Cascade Mountains.

Notwithstanding the great additions to the area in the Dakotas,

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the wheat fields of 1889 covered 1,352,026 acres less than did those of 1884, and were but 137,142 acres greater than those of nine years before. As there are no more Dakotas to be exploited, wheat-growing has evidently reached and passed its limit, and exportation will grow less and less until domestic requirements shall absorb our entire product of this cereal. That such will soon be the case follows from the complete occupation of the Winter-wheat area, where other crops are constantly encroaching upon wheat fields, as in the Spring-wheat regions east of the Dakotas; and even there the fields longest cropped show clear signs of exhaustion, and must soon be recuperated by a system of rotation that will prevent any material addition to the wheat supply.

Speculators in Canadian lands and politics have reiterated the wildest statements about an area unlimited in extent and fertility, and capable of supplying the world with wheat, lying fallow just north of the national boundary. It is now well established that the area where profitable wheat culture is possible, in Manitoba and the Assiniboin region, is included in a tract less than 300 miles from east to west and extending north less than 100 miles. This Canadian wheat region has been settled many years, yet the product is still very limited, as is shown in the following extract from the Montreal "Star" of January 9, 1890:

"W. W. Ogilvie is on his way back from Manitoba and the North-west, after having purchased practically all the western Canadian wheat crop. The securing of the crop by the Ogilvie Milling Company was not such a big job as might be thought. . . . It took [but] $1,500,000 to work the deal, which was for cash."

There is, unquestionably, a fine wheat region north of the State of Washington, but many years must be occupied in removing great forest growths before much wheat can be produced. When our population is such as to require more wheat, limited additions to the area can be made by subjecting to cultivation so much of plain and mountain as is susceptible of irrigation; but increase from such irrigated lands will be slow, even if the national government unwisely commits itself to costly irrigation schemes.

We need not wait, however, till complete equilibration of pro-

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duction and domestic consumption for a return of fair prices, as Great Britain alone requires 150,000,000 bushels of wheat annually, to supplement a home product steadily diminishing while the requirements as steadily augment. But a few years since it was widely predicted that the unlimited capacity of India to produce cheap wheat would deprive us of a market for our surplus, but these predictions have failed as completely as the assurances that India would furnish the world with all the cotton required. Neither the area, nor the product, nor the average annual shipment of Indian wheat has increased during the last six years—an outcome entirely consonant with the character of a people whose modes of husbandry and whose intelligence bear the impress of many centuries of mental torpor. In Australia there has been no increase of the exportable surplus of wheat since 1883; and it will be many years before the Argentine Republic can send abroad a large volume of this cereal, the estimates of the 1890 surplus (for export) in that country ranging from 3,000,000 to 7,000,000 bushels, and the entire product in 1889 being but 11,350,000 bushels.

With constantly-augmenting population, Great Britain and western Europe will soon require much more wheat than the exporting countries will furnish while prices remain near the present level. Meantime, our requirements increasing annually at the rate of 10,000,000 bushels, and our demand being made against a constantly-diminishing supply, prices will tend to rise rapidly at home and abroad. That our supplies of wheat will steadily diminish, is clearly indicated by the constant decrease of acreage in all districts other than those of the Dakotas, mountain areas, and Pacific States, such diminution during the last five years being at the rate of 13.1 per cent., and amounting to 4,314,231 acres, which is 1,352,026 acres more than the increase, in the same period, in the Dakotas, and in the mountain and Pacific regions. The question arises: Will contraction of the wheat area in the older districts continue at this rate, and how much of the loss thus sustained will be offset by the increase in the Dakotas and in the mountain and Pacific districts? Much light is thrown on this subject by the following table, showing the area in all staple crops, and, separately, the acreage in corn, wheat, oats,

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and hay in Ohio, Michigan, Indiana, Illinois, and Wisconsin in the years 1880, 1884, and 1887:

Year.	Total Acreage of all Staple Crops.	Acres of Corn.	Acres of Wheat.	Acres of Oats.	Acres of Hay.
1880,.....	42,960,311	17,338,964	13,161,177	5,058,026	5,876,079
1884,.....	46,044,738	16,606,512	11,429,727	6,531,317	9,641,625
1887,.....	47,647,738	14,583,964	10,687,937	7,933,885	11,519,384
Increase,.....	4,687,427	.....	.....	2,875,859	5,643,305
Decrease,.....	.....	2,755,000	2,296,240	.....	.....
Percentages,....	10.9+	15.9—	17.4—	56.9+	96.0+

This exhibit shows that in seven years 2,755,000 acres of the corn fields and 2,296,240 acres of the wheat fields of the States named were converted into meadows, as were 592,065 acres of the new land brought into cultivation, the remainder of the new land, amounting to 4,095,362 acres, being employed in the production of rye, oats, barley, buckwheat, potatoes, and tobacco. Like conversions of old fields and employment of new ones are continuously occurring in all districts, outside of the Dakotas and the mountain and Pacific areas, and must greatly reduce the production of wheat; and such action is likely to be greatly intensified, as the quantity of new land being brought under cultivation is rapidly diminishing, as will be shown further on.

The following table shows the number and geographical distribution of cattle in the years 1880, 1885, and 1889:

Groups of States.	Number of Cattle, January, 1880.	Number of Cattle, January, 1885.	Number of Cattle, January, 1889.
North Atlantic,.....	5,594,000	6,276,058	6,360,438
Lake,.....	7,070,900	8,579,494	8,912,476
Missouri Valley,.....	6,039,700	9,454,608	10,525,961
Southern,.....	5,806,600	7,134,770	7,359,085
Arkansas, Texas, and Indian Territory,	5,900,600	6,203,155	9,348,249
Mountain areas,.....	1,200,000	4,350,785	6,358,877
Pacific Coast,.....	1,946,200	1,772,425	2,065,956
Totals,.....	*33,588,000	43,771,295	*50,931,042
Percentages of increase,.....	.....	30.1+	16.4+

* Includes cattle in the Indian Territory not reported by the Department of Agriculture.

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This table shows that the supply of cattle increased 30.1 per cent. from 1880 to 1885, and 16.4 from January, 1885, to January, 1889; when 12.5 per cent. of the whole number was to be found in the seaboard States north of the Potomac; 17.5 in the lake group; 20.6 in the Missouri Valley; 14.4 south of the Potomac and Ohio; 18.4 in the South-west; while the mountain areas contributed 12.5 per cent., and the Pacific Coast States brought up the rear with 4.1 per cent.

That cattle are too cheap and the numbers greatly in excess of requirements, is incontrovertible; and it is equally true that the increase has, of late years, been almost wholly in the Missouri Valley and the range regions, where cattle subsist, Winter and Summer, upon the untaxed grass of the public domain. It is the cattle from these free pastures and the new farms of the Missouri Valley that have so overstocked the market and depressed prices.

Much can be found in the table to indicate that the increase has become very slow, if it has not virtually ceased, especially in the Atlantic, lake, and southern groups; and this becomes the more apparent when it is known that of the increase shown in these three districts, amounting to 641,677 animals, no less than 542,290 were cows kept for dairy purposes. In Iowa, Missouri, Kansas, and Nebraska the increase in all grades of cattle, from 1885 to 1889, was 546,433, of which 421,308 were milch cows; and the net increase in the Pacific States, since 1880, is but 119,756. Practically the only increase, since 1885, in cattle other than such as are kept for dairy purposes, has been in the range country; there the increase has been great, and statistics fail to show that it has ceased.

Throughout the greater part of the range country, the valleys are being occupied by farmers, thus forcing the cattle men and their herds away from the water and compelling removal to other pastures. This crowding-out process has been going on for years, and has greatly restricted the available pasturage. Moreover, many ranges have been so overstocked as to destroy the grass, which has been replaced by a worthless growth of weeds.

The severe storms of the winter of 1886–87 were disastrous to the herds on the northern ranges, destroying great numbers of cows and younger animals; and such losses will now be felt in

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a diminishing supply of steers from those districts. Financial distress among owners of range cattle has been extreme, forcing the marketing of every possible animal, old or young, male or female; and this has greatly reduced the rate of increase in such herds. Indeed, many entire herds have been shipped to market as fast as transportation could be had. This is especially true of the cattle held in the Indian Territory. Such excessive marketing has made the supply appear even more abundant than it is.

During the last four years, cattle increased 16.4 per cent., an average of 4.1 per cent. per annum; but most of this increase was in the first two years of the four, the rate of increase in the last two years being but 2.4 per cent. per annum. Here we see, for the first time in many years, a lower rate of increase than is shown by population. Of the late increase of cattle, an unusual proportion are milch cows.

Swine being, in large measure, the product of the corn field, and capable of being increased at will, do not call for separate treatment; nor does the oat crop, which is used almost wholly as animal food and can very largely be replaced by corn.

Possessing, as we do, a virtual monopoly of the world's supply of cotton, the demand, at fair prices, has been sufficient to absorb the entire product; and the demand being likely to increase more rapidly than the supply, in consequence of the near exhaustion of the arable areas, it is not probable that the American cotton-grower will have to contend with a troublesome surplus until the remote day when equatorial Africa shall enter the markets with abundant supplies. It is impracticable, however, to determine from the conditions accompanying the production and marketing of a portion of the staple farm crops, when or how the desired prosperity will come to the farmer; but we can doubtless do so when we review, as a whole, the field wherein all the great agricultural staples are grown.

Existing data show that to supply home requirements and export the same proportions of tobacco, cotton, and animal products as now, there should be for each unit of population 1.15 acres of corn, 0.47 of an acre of wheat, and 1.53 acres in other staple crops—a total of 3.15 acres per capita. This is exclusive of such lands as may be devoted to minor products or employed in pastur-

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ing animals, the estimate being only of such lands as are necessary to produce the requisite amount of cereals, potatoes, hay, tobacco, and cotton. The following table shows how much in excess of such normal requirements the acreage has been in recent periods:

Year.	Acreage in all Staples.	Per Capita Acreage of all Staples.	Acres in Staples other than Corn and Wheat.	Per Capita Acreage of Staples other than Corn and Wheat.	Acres of New Land Brought into Cultivation in Periods Ending in 1874, 1879, 1884, and 1888.	Annual Average Increase of Acreage in all Staples in Periods Ending in 1874, 1879, 1884, and 1888.
1871	93,020,684	2.35	38,985,654	0.99	.....	.....
1874	113,412,764	2.65	47,408,819	1.11	20,392,080	6,797,360
1879	161,041,312	3.29	63,242,393	1.29	47,628,548	9,525,710
1884	195,249,619	3.51	86,089,954	1.55	34,208,307	6,841,661
1888	207,212,100	3.36	94,203,199	1.53	11,962,481	2,990,620

This table shows how very rapid was the increase in cultivated acres, especially in the three earlier periods, when population was much less than now. If the present increase in acreage were in the same ratio to population as in the five years prior to 1880, the annual additions to the area under the plow would exceed 12,000,000 acres. It also shows a very rapid increase in the per-capita requirements for staples other than corn and wheat.

Upon the assumption that the requirements are now such as to employ 3.15 acres per capita to produce the cereals, potatoes, hay, tobacco, and cotton consumed at home, and the tobacco, cotton, and animal products exported, the preceding table shows that the troubles of the farmer may be attributed to the bringing of too many new acres into cultivation in the fourteen years ending in 1884; and that the process of readjusting the disturbed relations between production and consumption has been in operation several years, as is clear from the rapidly-diminishing quantity of new land being employed in the production of staple crops.

During the fourteen years prior to 1885, the increase in cultivated area was so great that, after assigning the required 3.15 acres to each unit of population, there remained a surplus of 20,248,000 acres, which was employed in growing products to glut home and foreign markets.

Fortunately the arable lands to be occupied had become so very limited that the additions to the area in cultivation, during

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the next four years, were reduced to a yearly average of 2,990,-620 acres, as against 8,183,685 in the ten preceding years, the result being to diminish the acreage in excess of home needs from 20,248,000 acres to 12,888,000 at the end of 1888; and a decrease, rather than an increase, of such additions of new land being probable, it is entirely safe to estimate that such additions will not, from 1888 to 1894, exceed a yearly average of 3,000,000 acres, while population will augment at a rate of not less than 2.7 per cent. per annum. This will, at the end of 1894, leave but three acres per capita to furnish so much of the agricultural staples as we may then use or export.

No doubt the average American could subsist upon the product of less than three acres, as he did prior to 1874; but it is very certain that he does not, nor will he until prices are much higher; neither is it probable that the average yield per acre of the staple crops will increase until a deficient supply shall necessitate improved modes of culture. Should the American people continue to require the product of 3.15 acres each, that will, after 1893, necessitate yearly additions of 6,000,000 acres to the area employed in growing staple crops, as well as great quantities of land to furnish the additional dairy, orchard, and minor products required by the growing population.

Where can be found available arable lands, of even moderate fertility, to meet these ever-increasing requirements? It seems wholly improbable that there can be any such future increase of cultivated area, when we remember how thoroughly the arable soils are occupied, and that for years the annual additions have been less than three million acres. If the computation of the area required per capita be correct, and if the Department of Agriculture has not underestimated the area employed in growing the staple crops, domestic consumption will absorb the entire product of cereals, potatoes, and hay within five years from January, 1890, and thereafter agricultural exports will consist almost wholly of tobacco, cotton, and animal products, the volume of which will shrink as constantly, if not in the same degree, as home consumption increases. An equalization of the supply of the various staples will readily follow from the application of corn and wheat fields to the growth of such products as

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may, from time to time, be in most urgent demand. Meantime prices will steadily advance.

To most people it would probably appear absurd to suggest that well within ten years it may be found necessary to import large quantities of wheat to feed the ever-increasing population; but such will be the logical sequence of the necessity of employing wheat fields in the growth of other staples, and of the exhaustion of the material from which farms are developed.

Assuming the substantial correctness of the estimates of area by the Department of Agriculture, and that home requirements will be such as to employ 3.15 acres per capita, the answer to the question, When will the farmer be prosperous? resolves itself into a calculation as simple as the following:

January, 1894, a population of 72,000,000 will require in staple crops an area of.....		226,800,000 acres.
Area now employed in growing such crops,.....	211,000,000 acres.	
Additions to be made to such area in four years,.....	12,000,000 acres.	223,000,000 acres.
Acreage deficit, January, 1894,.....		3,800,000 acres.

This deficit should be sufficient to neutralize any possible underestimate of the area now in cultivation.

Does not the evidence adduced show that before this decade is half spent, all the products of the farm will be required at good prices, that lands will appreciate greatly in value, and that the American farmer will enter upon an era of prosperity, the unlimited continuance of which is assured by the exhaustion of the arable areas?

C. Wood Davis.

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The Commercial Forum.

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A CITY FOR SAFE INVESTMENTS.

LAREDO, TEXAS—ITS SITUATION—ITS GROWTH—THE OPPORTUNITIES IT OFFERS FOR CAPITALISTS AND HOME-SEEKERS.

The soberest statement that can be written of the growth and of the advantages of some of the younger cities of the country is more startling to the vast majority of our people than the wildest romance could be. To think of a great city springing into life between two census periods is not easy for the staid inhabitants of the conservative east. And yet a decade seems a long time when we reflect that Laredo, Texas, has, within two years, grown from a village of six thousand population into a wealthy, prosperous and handsomely built city, the home of twenty thousand active and energetic people. What are the reasons for this wonderful development?

Situation has had much to do with it. The shortest and best route—shortest by six hundred miles—to the capital of the great Republic of Mexico, and the one passing through the most fertile and populous region, lies through Laredo. Then, too, the nearness of the city to inexhaustible supplies of so many varieties of natural wealth, is a circumstance which tells heavily in its favor. In the very centre of the largest wool-growing section on the continent, with the richest and best veins of coal in the great State of Texas, in close proximity to the mines of Mexico so wonderfully rich in silver, lead, iron and copper ores, which find their natural market here, surrounded by a fertile country—so fertile as to produce two crops a year—adapted alike to agriculture, fruit-growing and grazing, is it surprising that Laredo has become the metropolis of southwestern Texas and of northern Mexico as well?

Six hundred feet above the sea level, commanding a view of the historic Rio Grande River, which marks this frontier between the two Republics, for a hundred

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miles of its winding course, with the lofty peaks of the great Sierra Madre Mountains towering in the distant landscape — the scene from Laredo Heights is beautiful in the extreme. The region is famous for its healthfulness — malaria and fevers being unknown — and the climate, tempered in winter and cooled in summer, by the balmy breezes from the Gulf of Mexico, one hundred and fifty miles distant, is delicious. Such are some of the reasons for the marvellous growth of Laredo. Now let us look a little more closely at results. There are two Laredos — one in Mexico and one in the United States. The two cities are bound together by two new steel bridges and a finely equipped electric railway—the only international electric railway in the world. Six miles of electric street railway are now in process of construction. A complete system of electric lighting is in operation. Good streets, fine buildings, handsome residences, public and private schools, churches of all denominations—everything is here that marks the prosperous city.

The commerce of Laredo has attained very large proportions, its exports and imports having risen from $135,000 in 1880 to $10,000,000 in 1889. A cautious estimate places the figures for 1890 at $20,000,000. The city has also made rapid strides in manufacturing, and now has an iron foundry, a tannery, a book and shoe factory, a planing mill, a grist mill, a woolen mill, and several brick kilns. The "Laredo Brick" is celebrated throughout the country for its durability and other excellent qualities, and it is required to be used in all government buildings erected in Texas.

There is really no place in the United States to-day where better opportunities are offered for the investment of money, whether in real estate, or in commercial or manufacturing enterprises, than in Laredo. The city is well governed. The taxes are merely nominal, and yet the municipal treasury is overflowing. A large land-owner, Laredo gives her real estate liberally as bonuses to individuals or companies wishing to establish desirable manufacturing enterprises within her limits —not only so, but she exempts them from taxation for a period of ten years. The Board of Trade is equally liberal in donating sites for manufacturing establishments. With all the natural advantages already set forth—and nothing has been said of the water power, which is superb, or of the transportation facilities, which are unequalled—with no taxes and with free land, there can be no better place for a legitimate manufacturing enterprise than Laredo. The city especially needs and will give hearty encouragement to cotton, paper and woolen mills, iron works and machine shops, tanneries, and factories for the manufacture of carriages, wagons, furniture and all kinds of wooden ware.

Laredo is, in all respects, a good place to live in We have seen that this is so in a material way. But, after all is said, it takes more than natural advantages and material wealth to make a city. There must be a *high civilization*. There must be opportunities for mental, moral and spiritual culture. There must be a society of refined and gentle-mannered men and women. There must be churches and schools and libraries and clubs and organizations of various kinds. No people recognize all this more than do the people of Laredo. Nature has done much for them, but they have done and are doing all that they can to make their city, not only great and prosperous, but also a delightful home in all that those words imply. They have built schools and churches, they have established libraries, they have formed clubs and societies, and to-day the society of Laredo will compare favorably with that of any city of its size in the country. The city is peculiar in one respect—that is in its strange combination of the new and the old. It is built upon the ruins of an old town founded by the Spanish Government in 1767. The influence of the past survives, and the touch of the Spanish tradition gives a little of the old dignity to our nervous and restless American life. So Laredo is a good place to live in. It is a good place for a young man to begin life in.

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A CITY FOR SAFE INVESTMENTS.

We have seen what has made the town—nature and the industry and energy of her people. We have seen something of the results of this joint-work of man and nature, and the manifold attractions of the place have been briefly recounted. But after all, the work has only been *begun*. Prophesy is usually merely an idle speculation; but, reasoning from the past, it is safe to say that the Laredo of to-day is only a faint picture of that which shall be. Growth seems to be one thing at least upon which the city can count with reasonable certainty.

This is much. To live in a young and vigorous community, to feel the thrill of its expanding life, to know that the future is big with promise, and to *see things becoming*—there is a charm about all this which must appeal to any man of spirit. Not only so, but there is work to be done, plenty of it. It is a work, too, that will bring a sure and a rich reward. Texas is destined to be the greatest and most populous state in the Union, as it is now the largest. It has all the elements of greatness. There is absolutely no cloud in its sky. No city in Texas has a better prospect than Laredo, the very gateway to the Mexican Republic. What more could be asked? A comfortable present, and a surely prosperous future—are not these the things which men seek?

At Laredo they can live in a glorious climate, amid magnificent scenery, in a fine city, and among the pleasantest people; such is the *comfortable present*. At Laredo they can live in the heart of a wealthy and rapidly developing city and country, endowed with every natural advantage, offering almost countless opportunities for bettering their condition, and where everything is on the *up grade*.

It is no idle boast to say that this Texas city is one of the greatest wonders of our wonderful American civilization. For maps, pamphlets, and trustworthy information, address The Laredo Improvement Company, Laredo, Texas.

TO INVESTORS.

A MONTANA MINING AND DEVELOPMENT COMPANY.

MONTANA and adjacent country offers a wonderfully rich field for the investment of capital in mining enterprises, out of which immense fortunes are being made, and the field is constantly widening and deepening. Among all these attractive and profitable enterprises I wish to present one which for *safety*, *sure* and *speedy* returns, and for profitable investment leads them all; namely—a company organized for the express purpose of taking hold of properties, in choice mineral belts, which are developed to such an extent as to establish their character and prove their value. Excellent properties in the hands of poor prospectors can be bought for a mere trifle, and small expenditures in developing them show up fine mines. I have several such properties at my command which have been carefully selected and can be relied on as possessing great merit. A development company is now being organized with a capital stock of 100,000 shares of full paid and non-assessable stock, par value $10 per share, or $1,000,000; 50,000 shares, or one half of this stock, will be placed in the treasury for development purposes and a limited amount will be sold at the nominal price of ten (10) cents a share, every dollar of which will be invested for the benefit of the company.

Here is a golden opportunity for a few men to get in on the ground floor. Please write me *at once* how many shares you will take, as a small block only will be sold at this figure. References: Montana National Bank, R. G. Dunn & Co., F. S. Lang & Co., of this city.

W. F. CUMMINS,

Helena, Mont., April 15th, 1890. Dealer in Mines, Stocks, and Real Estate

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PROF. GLEED ON WESTERN MORTGAGES.

No one should invest money without reading this admirable article. (See THE FORUM for March.) We are acquainted in South Dakota and we confine our business to that section almost exclusively. We know absolute security for money can be obtained there and we know how to get it; and we get more than we can keep ourselves. Hence we sell mortgages.

Eight years ago, at the time of the settlement of Aberdeen and Brown County, Dakota, the founders of this company commenced the loaning and banking business. They have worked hard and they expect to continue to do so. Success has crowned their efforts and the business has grown. The Western Investment Company was, therefore, organized and B. C. Lamont became its president.

Prof. Gleed says: "Here and there may be found a private banker who has clear notions of duty toward his correspondents; who makes investments for others on his own judgment, based on personal knowledge; who is content with a fair profit for himself; and who can truthfully say that he never lost a penny of his clients' money." We have that man in the Western Investment Company. Mr. Lamont has loaned nearly 2,000,000 of dollars and not one of his clients has lost a cent on an investment he made. Such results can be obtained only by perfect knowledge of the country and the people with whom business is done. This knowledge and experience we have, and we offer to sell to investors mortgages which we have taken for ourselves and we guarantee the payment of interest and principal in gold.

We do a local business, fifty per cent of our loans being in the immediate neighborhood of our home office. We know every loan, therefore, and are able to take care of every one we make. Our officers and stockholders are almost all in Aberdeen and they know what is going on.

This Company does not invest other people's money—they invest their own. The loans are made usually upon a basis of thirty to forty per cent. of the actual value of the security; but often the proportion will not exceed twenty per cent.

The loans are invariably first liens upon the farm, and the correctness of the title is certified to by the official abstractor and the clerk of the county. The county treasurer certifies to the payment of taxes. After these certificates are all supposed to be correctly made, the officers of the company make a minute and careful examination of the papers, to see that nothing has been omitted that can affect the title, and the money is not paid over till the mortgage is recorded and this examination made. These mortgages are made on a gold basis, and no matter how the silver question may affect the country, the loans will be paid in gold of the present standard.

The form of security—note or bond—is desirable, and quite as convenient as a United States bond—quite as secure—and pays fifty per cent better. Its form is much the same—a principal bond, with coupons for interest attached, and the same procedure for its collection is necessary—no more, no less. Each of the interest coupons is detached from the note or bond as it becomes due, and deposited as cash in your bank for collection. They are perfectly secure in transmission, as they can be made payable to any one by indorsement, or they can be paid at the office of the company, 401 Chestnut Street, Philadelphia, Pa. There is no element of speculation in these mortgages. They are absolutely safe, and they offer the best six per cent. gold investment in the United States.

After an absence of nearly twenty years in the Northwest, our Vice-President has returned to Philadelphia, where he may the more easily see our customers, make new ones and answer inquiries. ROBERT S. INNES, Vice-President

401 Chestnut Street, Philadelphia, Pa. Western Investment Company.

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AN OCCIDENTAL PARADISE.

SAN DIEGO, CALIFORNIA—THE MOST ATTRACTIVE SCENERY AND CLIMATE IN THE WORLD—THE FLORENCE HOTEL.

A favorite prescription with the physicians is "change of scene," and it is doubtless a wise one. The man or woman worn with the struggle for existence, wearied with the monotony of the daily routine, sick of the customary and usual surroundings—what can be more grateful to such a one than for a season to give up the struggle, to break away from the routine, and to leave behind the old friends and the familiar sights? Change is rest; yes, change is life.

So the doctors are right, and men do well to follow their advice. But the change should, if possible be for the better, and it should be complete. California fulfils both these requirements. It is the most wonderful State of this wonderful country—a paradise for health and pleasure-seekers; and in this paradise there is no more lovely spot than San Diego and the region round about it.

On Florence Heights, one hundred and seventy feet above tide-water, overlooking the glorious San Diego Bay and the mighty Pacific Ocean, and under the shadow of the wonderful mountains of California and Mexico, stands the Florence Hotel. Strangely beautiful is the scenery. The blue plain of the bay and ocean glittering under the brilliant sunshine, the tropical luxuriance of the foliage, the profusion of flowers, in the distance the snow-crowned peaks, and all bathed in the transparent atmosphere of this region—the eye is bewitched and the soul enchanted with the loveliness of the picture.

The whole country has an historic interest. In the very names of town and river and mountain you may read the story of the centuries. You meet the most startling contradictions—age and youth—it is the oldest and the youngest part of the nation. Balboa and Mr. Oakhurst—whose history is so graphically told by Bret Harte—clasp hands across three hundred years. Two civilizations have struggled for the supremacy, and the one that has been beaten meets you at every turn in the names of places, in old mission houses, in churches, and the spirit of the old Spanish days feebly and pathetically challenges the pushing and driving American life which came in with the "forty-niners." Contradictions? Yes; it is Santa Cruz against Smartville.

So with the climate. It is the frigid against the torrid zone. The arctic breath of the mountains meets the languid breezes from the valley, and the result is the most charming and healthful summer climate in the world. The elements are mixed in just the right proportions to make an ideal climate.

Nowhere has nature been so prodigal as here. Everything, from gigantic mountain to immense ocean, is on the most stupendous scale. The rose bushes are trees, while the trees of California are the wonder of the world. There is a liberality about the very air. It is pervasive. It is laden with a healing influence and is rich with blessing for diseased and feeble lungs.

In the midst of these delectable surroundings is the Florence Hotel. It is conveniently as well as beautifully situated. But eight blocks from the business centre of the city, and with cable and horse cars passing on two sides, communication is easy between the city and hotel. The Florence is thoroughly equipped with all that goes to make a first-class hotel. There are one hundred and seventy large rooms and accommodations for two hundred and fifty guests. The table is excellent.

Grass plots and trees and flowers surround the hotel, which occupies an entire block. There is a fine double tennis-court. The ambition of the proprietor, Mr. W. W. Bowers, is to make the Florence a strictly select family hotel. It has the largest and best furnished rooms in Southern California.

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THE COMBINATION SYSTEM OF HEATING.

THE IMPROVED STEAM AND WARM-AIR HEATER FOR BUILDINGS.

A very popular and successful method of heating buildings, especially dwellings, churches, hotels, banks, and schools, is that known as the "Combination Steam and Warm-Air System" justly esteemed from the fact that, by its use, good ventilation as well as uniform heating can be attained at low cost as compared with that of ordinary steam or hot-water systems, while it is as economical of fuel as either of the latter, and much more economical than the widely used warm-air furnace. By this system the principal defect of the warm-air furnace, to wit, the difficulty in effectively heating rooms remote from the heater, is entirely removed.

The "Economy" combination of steam and warm-air furnaces, patented by Mr. John F. Pease, and manufactured solely by the J. F. Pease Furnace Co., at Syracuse, N. Y., and Toronto, Canada, is so-called from the saving, not only in the first cost of its erection, but also in fuel. The company has offices at 206 Water Street, New York, 75 Union Street, Boston, and 82 Lake Street, Chicago, on application to either of which readers of THE FORUM can obtain the finely illustrated and printed catalogue of the company.

The general character of the apparatus is that of a well constructed warm-air furnace, with which is combined a steam-generator, located with reference to the action of the heated products of combustion in such manner as to extract all the heat from these products, except what must remain in them to produce the required draft. The steam thus generated is conveyed through pipes to radiators in distant apartments where it would be difficult to conduct weaker heated-air currents, the latter being utilized for heating rooms that can be reached more directly. The warm air, taken fresh from the exterior of the building, affords the desired ventilation.

The same fire that warms the air also produces the steam with no further attention, except to supply water, than is needed for an ordinary warm-air furnace; and if, as in most cases, an automatic water-feeder can be attached, the attention required is simply that needed for an ordinary air-warming furnace. The pressure of the steam generated (four or five pounds per square inch) enables an automatic draft-regulator to be used, a thing impossible with a warm-air furnace minus the steam combination. The automatic draft regulator is one of the most economical appliances in modern heating apparatus.

The principles upon which this system is based are scientifically sound, and their application has, by integrity in manufacture and skill in erection, secured for the system a very wide use with extremely satisfactory results to those who have adopted it, as is shown by the remarkably extensive list of commendatory testimonials, published by the company.

REPUBLICATIONS FROM THE FORUM.

THE FORUM EXTRA, which is published monthly, contains essays from different back numbers of THE FORUM, grouped according to subjects.

The number for March contained "The Race Problem in the South," by Senator Wade Hampton, of South Carolina, and Senator John T. Morgan, of Alabama. The April number contained "The Owners of the United States," by Thomas G. Shearman, and "The Haste to be Rich," by the Rev. Howard Crosby. The May number contains "The Tariff and the Farmer," by J. G. Carlisle, and "How the Tariff Affects Industry," by W. C. P. Breckinridge. Copies of these republications and be obtained in quantities at very low price.

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NO MORE ICE FAMINES.

ICE MAKING EXTRAORDINARY.—IMPORTANT ALIKE TO INVESTOR AND HOUSEHOLDER.

Mr. Edward Atkinson, the well-known expert on Factory Design and Equipment, said at a recent meeting of the Boston Society of Civil Engineers:

"We are very near the point where we can make the cotton mills a sanitorium. The method of reducing the temperature of summer air below the freezing point is now in common use in breweries, cold-storage warehouses, etc. I think there is a great field here, not only in the preparation of air and cooling it in the cotton mills, but also in all sorts of works, in offices, etc."

There can be no doubt that one of the main drawbacks to the development of manufacturing industries in southern latitudes is the inability to keep the work-rooms at a proper temperature.

Some of our northern cities have a system of heat and power supply from central stations, by burning coal under boilers, and furnishing the steam generated by means of street pipes to engines in factories and to steam radiators in houses, offices, stores, etc., for heating in the winter months.

It is a strange paradox indeed to show that a company has actually been formed called The Central Artificial Cold Supply Co., of which W. B. Ford, the inventor, is engineer. This company proposes to supply by means of pipes and radiators to houses, hospitals, meat stores, places of amusement and other desirable places, *Cold* artificially produced by the burning of coal.

It is made practically possible by this system to keep refrigerators at an absolutely even cold, dry temperature without the stop and bother attending the use of ice, and to make pure, clear ice from filtered water, in one's own house at a cost much below that at which a household can obtain natural ice.

Among the many advantages of this system, over the ammonia processes now generally in use for ice-making and refrigerating, may be mentioned:

I.—The pressure on all the pipes and working parts of the system never exceeding four atmospheres or sixty pounds to the square inch, while by ammonia systems the pressure often reaches three hundred (300) pounds to the square inch, rendering such systems dangerous to life and property, as has been shown by numerous explosions due to the strain on the pipes and machinery.

II.—The security against fire, by having a reservoir of the gas, used in Mr. W. B. Ford's system, always at hand, since this gas is the most powerful extinguishing agent known, carbonic-acid gas itself not excepted. It can easily be arranged for householders, storekeepers, etc., in case of fire, to turn a faucet and allow the gas from this system of pipes, to escape rapidly in the room or rooms where a fire may occur, with the certain assurance of extinguishing the flames.

III.—And perhaps the most important is the ability to produce cold, or pure solid ice, at a cost one-third ($\frac{1}{3}$) that of the Ammonia Systems.

Neither cold, cold air nor any cold medium is transmitted along the supply pipes, the cold air itself being produced only in the radiators, cold stores or refrigerating boxes, where it is used, and any desired temperature ranging between 40° F. above and 20° F. below zero, or lower, if desired, may be maintained constantly.

The company have already large orders for isolated plants, and will have a central station in a very short time. The initial plant at 33 New Church Street, New York, is now in operation, where readers of THE FORUM may see it and judge for themselves of the great value to the community of such a system of cold supply.

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COMFORTABLE TRAVELLING

ON THE CHICAGO, MILWAUKEE, AND ST. PAUL RAILWAY.

THE Chicago, Milwaukee and St. Paul Railway is the only line running solid vestibuled, electric-lighted, and steam-heated trains through between Chicago, Milwaukee, St. Paul, and Minneapolis. It is also the only line that runs trains of this kind between Chicago, Council Bluffs, and Omaha. The comfort which these improvements add to travelling is sufficiently attested by the popularity which they have brought.

The Berth Reading Lamp in the Pullman Sleeping Cars of the Chicago, Milwaukee and St. Paul, is a luxury which the traveller finds only on the lines of this company. The company has a patent, and no other company can use the berth lamp. The traveller lies at his ease in his berth and has a uniform light which can be so adjusted as to meet all the requirements of comfort. On his travels he finds his wants, both mental and physical, administered to in such a way as to make his journey a season of rest and recreation. Straining the eyes in badly lighted railway coaches, so common among reading men and women, is entirely avoided by this happy device. Add to this the consciousness that there is not a heap of burning coal in close proximity to the traveller, and one sees how his feeling of comfort and security is enhanced.

The combination of lines forming the Chicago, Milwaukee and St. Paul Railway is one of the two or three most extensive railway systems in the world. The company was organized May 5th, 1863, and on February 11th, 1874, its name was changed to the Chicago, Milwaukee and St. Paul Railway Company.

It has grown by the purchase of old lines and by the construction of new ones, till now it forms a vast network of lines on the territory of six States, having an aggregate of more than 5,600 miles of road in operation. Besides the great centres of trade and manufacture which the business man reaches over the lines of this company, there is a large number of pleasure resorts scattered over the Northwest to which these roads convey thousands of tourists every summer.

Full particulars can be had from your nearest coupon ticket agent, or by addressing the company's general passenger agent, A. V. H. Carpenter, at Milwaukee, Wis.

THE TRAVELLERS' EXCHANGE.

WANT-SUPPLY COMPANY, AND CHAPERONE BUREAU—A GREAT PUBLIC CONVENIENCE—23 WEST 42D STREET, NEW YORK.

IT is not generally known that there exists in this city such an enterprise as this, but it is a matter of supreme interest to the thousands of visitors to New York from remote parts of the earth, and especially to ladies in transit who are unattended by husbands or brothers and desire to see the sights or to shop while in the city. A corps of highly respectable chaperones, many of them linguists of unusual ability, are ready at an hour's notice to accompany parties or individuals. The exchange is managed by competent directors of refinement and social standing.

THE TRAVELLER'S EXCHANGE AND WANT SUPPLY CO. furnish reliable guides and expert shoppers to strangers visiting the city. Hotel accommodations and rooms in first-class boarding houses secured in advance. Young ladies visiting the city unattended by parents or friends will find protection under the guardianship of matrons of high social and moral standing. Trained nurses, endorsed by respectable physicians, can be supplied at short notice. Write for circulars.

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America's Great Fortunes have been made by far-sighted investments in Real Estate.

Her Moderate Fortunes have mainly been made in the same way.

REAL ESTATE is not only the basis of all wealth, but it is the only absolutely secure and permanent investment; it is non-assessable, non-liable, cannot be embezzled, burned, sunk, blown-up, or run away with. Good real estate judiciously bought, when once fully paid for, is beyond the reach of panics and hard times, and is an

Absolutely Safe, Reliable Investment.

This is *why* the Great Fortunes have come from Real Estate.

TEXAS Real Estate is the best investment in America to-day.

Millions of northern money are going into Texas. Every month sees new northern syndicates purchasing and developing there.

The section where the "biggest money" is to be made, is the section where prices have not yet been materially advanced.

That section is "South-West Texas," lying along the Gulf Coast. CORPUS CHRISTI is its central point and sea-port.

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CORPUS CHRISTI

has 5,000 to 6,000 population; is the most beautifully located city in the entire South. It sits upon a lovely bluff twice as high as the famous bluff at Long Branch, N. J., overlooking

150 SQUARE MILES OF DANCING WAVES,

constituting the famed and delightful Bay of Corpus Christi. It is already a

FAMOUS HEALTH RESORT,

and is overflowed all summer with visitors from the hot interior; the cool sea breezes make it many degrees cooler than interior cities are. The highest point touched by the thermometer in June last was 91° only one day; July highest point 91° one day only; August highest point 94° for a few minutes one day only.

It is overflowed all winter with visitors from the north. Only two nights of frost this winter, not a single frost last winter.

Extremes of heat and cold both avoided.

LOWEST DEATH RATE IN AMERICA.

Corpus Christi is the county seat of Nueces Co., one of the most fertile sections in the world, and yet having absolutely *no malaria*. This is perhaps due to the strong, salty breezes blowing in fresh from the Gulf.

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It is a veritable

SPORTSMAN'S PARADISE.

Near by are deer, wild turkeys, partridges, ducks, geese, pelicans, plover, cranes, peccaries, and occasionally wild boars. The bay teems with fish and oysters of the finest quality.

THOUSANDS OF TARPON,

some of them weighing 150 pounds, frequent these waters. The delicious June fish weighing 200 pounds is no uncommon catch. One was taken last summer weighing 320 pounds.

GREEN TURTLE,

in season, also abound; also red-fish, flounder, sea-trout of immense size, etc., etc.

A NORTHERN SYNDICATE

is now improving this noble bluff on a scale commensurate with its unique grandeur. Miles of shell drive are being constructed. An electric railway is under contract. The handsomest hotel in the South-West has been begun, and will be furnished and conducted in the very best northern style.

A SEASIDE CHAUTAUQUA

has been begun and will be ready this summer. Many other new enterprises are under way.

CORPUS CHRISTI is directly behind ARANSAS PASS, where a deep-water sea-port of the first magnitude will be built. Works now partly constructed. Will be completed many years before those at Galveston.

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It is our belief that within ten years CORPUS CHRISTI will be

THE LARGEST CITY IN TEXAS,

and eventually be the Chicago of the South-West. It is now the terminus of two railroads; two more are under charter. When deep-water is had it will become a great railroad focus.

CORPUS CHRISTI has two banks, six churches, one newspaper, three telegraph offices, telephone, electric light, large lumber interests, ice factories, does a large wholesale business, and is negotiating for several large manufacturing enterprises.

Party politics have no bitterness; northern men are warmly welcomed. The new president of the Board of Trade is an active Republican from New Jersey. An educated, colored Republican preacher sits in the City Council to which he was elected mainly by Democratic votes.

WE OFFER

orange lands, grape lands, cotton lands, tobacco lands, fruit and vegetable lands at moderate prices and easy terms.

Town lots on PORT ARANSAS CLIFFS (CORPUS CHRISTI) offered for the present at prices ranging from $200 down to $50 per lot, 25 x 125 feet. Terms, ¼ cash, balance 1, 2, 3 years, 8%

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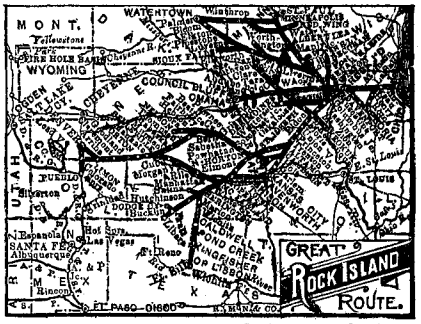

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Volume III., MARCH, 1887—AUGUST, 1887;
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Volume V., MARCH, 1888—AUGUST, 1888;
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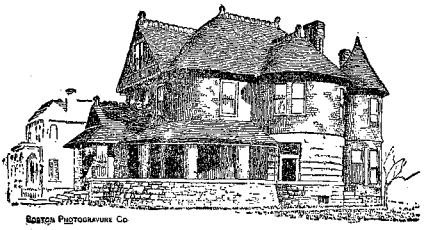

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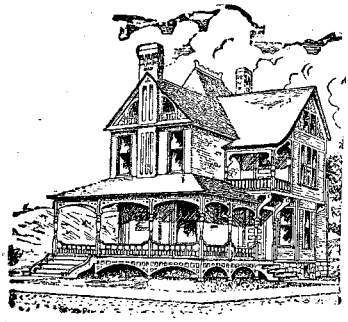

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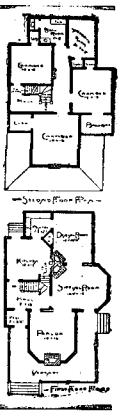

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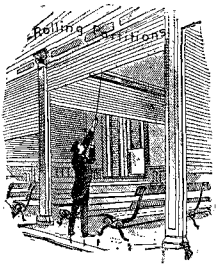

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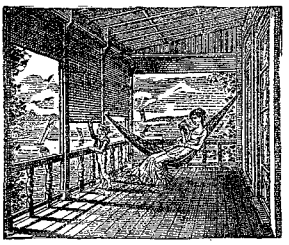
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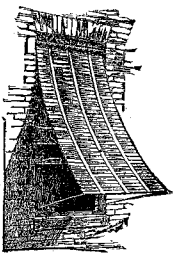
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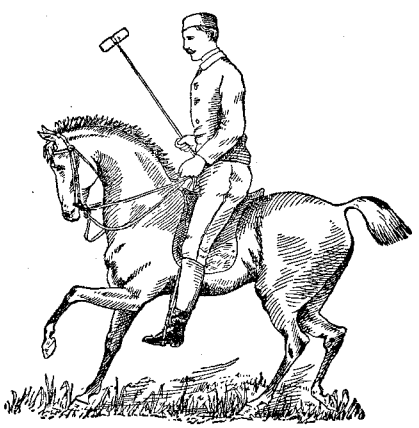

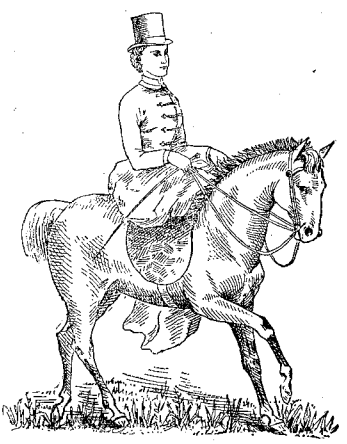

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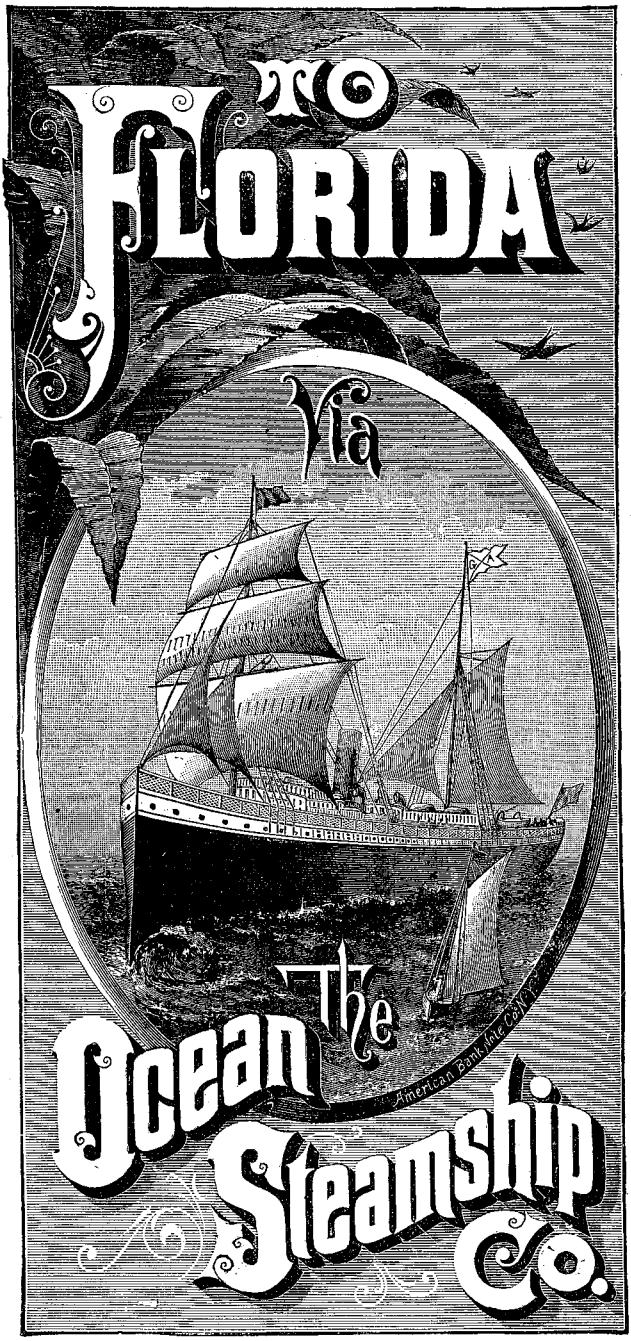

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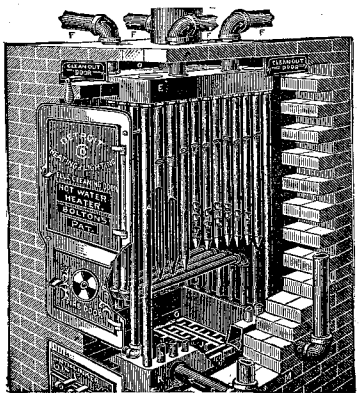

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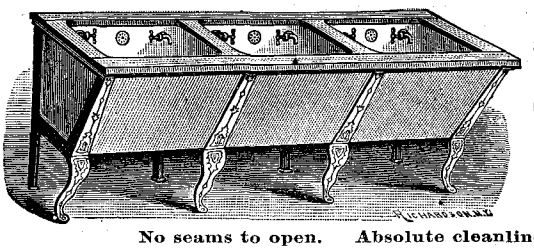

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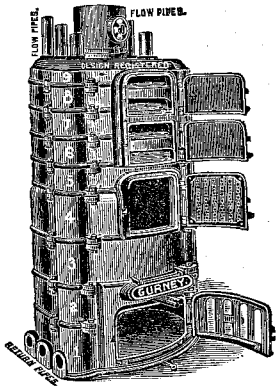

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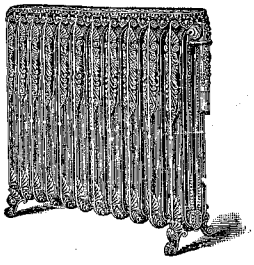

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The Lancet (London): "Delicate aroma"—"PURE and unmixed," "goes a long way and is really cheaper to use in the end."

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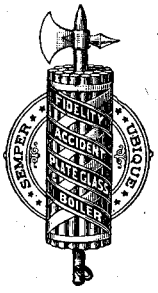

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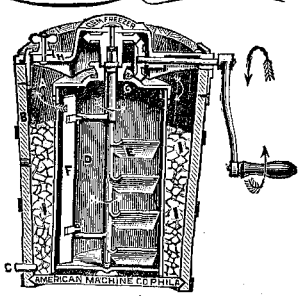

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White Cedar Pail—Don't shrink and fall apart.
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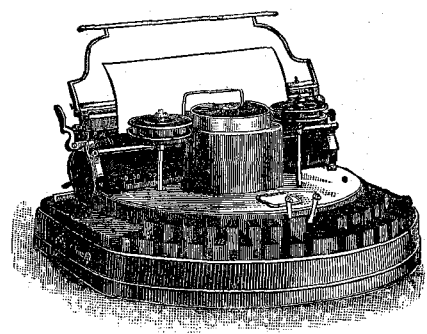

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